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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1879.

RALEIGH:
HALE & SAUNDERS, STATE PRINTERS AND BINDERS.
1879.

OFFICERS AND MEMBERS

OF THE

House of Representatives,

SESSION 1879.

NAME.	COUNTY.	POST OFFICE.
OFFICERS OF THE HOUSE.		
Speaker, JOHN M. MORING,	Chatham,	Moringsville.
Chief Clerk, J. D. CAMERON,	Orange,	Hillsboro.
Reading Clerk, R. W. BEST,	Wake,	Raleigh.
Eng. Clerk, W. J. BARRETT,	Lenoir,	Kinston.
Door Keeper, JOHN HILL,	Randolph,	Asheboro.
Assst. " JAS. P. HORTON,	McDowell,	Marion.
REPRESENTATIVES.		
RUFUS AMIS,	Granville,	Buchanan.
J. S. ANDERSON,	Clay,	Haysville.
M. E. ANGIER,	Orange,	Durham.
W. E. ARDREY,	Mecklenburg,	Pineville.
T. J. ARMSTRONG,	Pender,	Rocky Point
NAT. ATKINSON,	Buncombe,	Asheville.
D. BARRINGER,	Rowan,	Salisbury.
J. M. BATEMAN,	Washington,	Plymouth.
C. W. BATTLE,	Edgecombe,	Battleboro.
GERMAIN BERNARD,	Pitt,	Greenville.
B. H. BERRY,	Burke,	Morganton.
L. G. B. BINGHAM,	Randolph,	Jackson's Creek.
T. F. BIRD,	Henderson,	Mills River.
E. A. BIZZELL,	Johnston,	Harper's.
I. S. BLAISDELL,	Perquimans,	Hertford.
S. W. BLALOCK,	Mitchell,	Ledger.
J. C. BLOCKER,	Cumberland,	Cedar Creek.
THEO. P. BONNER,	Hyde,	Engelhard.
H. C. BOST,	Rowan,	South River.
J. L. BROWN,	Mecklenburg,	Charlotte.
B. R. BROWN,	Yadkin,	Hamptonville.
R. B. BRUCE,	Cherokee,	Notla.
T. D. BRYSON,	Swain,	Charleston.
G. C. BUCHAN,	Wayne,	Jerico.
J. E BURROUGHS,	Granville,	Henderson.
HUGH CALE,	Pasquotank,	Elizabeth City.
M. E. CARTER,	Buncombe,	Asheville.
H. W. CARTER,	Warren,	Warrenton.
D. G. CARTER,	Yancey,	Bald Creek.
L. R. CARROLL,	Sampson,	Clinton.
J. M. CARSON,	Alexander,	Taylorsville.
WILSON CAREY,	Caswell,	Fitches' Store.

REPRESENTATIVES—*Continued.*

NAME.	COUNTY.	POST OFFICE.
A. H. CHADWICK,	Carteret,	Beaufort.
L. T. CHRISTMAS,	Warren,	Warrenton.
W. E. CLARKE,	Craven,	New Berne.
J. D. CLICK,	Iredell,	Elm Wood.
B. C. COBB,	Lincoln,	Lincolnton.
C. H. COFFIELD,	Harnett,	Winslow.
A. S. COLWELL,	Duplin,	Harrell's Store, Sampson.
C. M. COOKE,	Franklin,	Louisburg.
W. B. COUNCIL,	Watauga,	Boone.
D. A. COVINGTON,	Union,	Monroe.
R. B. DAVIS,	Catawba,	Hickory.
F. M. DAVIS,	Haywood,	Iron Duff.
D. F. DAVIS,	Madison,	Marshall.
W. A. DEANES,	Wayne,	Goldsboro.
N. DIMSDALE,	Polk,	Dimsdale.
W. T. DIXON,	Greene,	Hookerton.
WM. W. DUNN,	Lenoir,	Kinston.
STEWART ELLISON,	Wake,	Raleigh.
N. C. ENGLISH,	Randolph,	Bush Hill.
W. C. ETHERIDGE,	Bertie,	Coleraine.
W. T. H. EWING,	Montgomery,	Sulphur Springs.
J. J. FERRELL,	Wake,	Fish Dam.
N. P. FOARD,	Surry,	Elkin.
S. J. FORBES,	Camden,	Shilo.
J. E. FOSTER,	Ashe,	Jefferson.
C. D. FOY,	Jones,	Maysville.
G. L. FULCHER,	Dare,	Cape Hatteras.
JOHN J. GATLING,	Gates,	Gatlington.
J. J. GOLDSTON,	Chatham,	Egypt.
J. W. GRANT,	Northampton,	Garysburg.
L. HARRELL,	Wilkes,	Brier Creek.
T. S. HARRISON,	Caswell,	Purley.
D. M. HENDERSON,	Richmond,	Hamlet.
C. S. HEWETT,	Onslow,	Maysville, Jones county.
J. C. HINES,	Sampson,	Clinton.
H. H. HOBBS,	Chowan,	Wardsville.
E. J. HOLT,	Johnston,	Princeton.
J. J. HORTON,	Hertford,	St. John's.
H. B. HUFFSTETLER,	Gaston,	Wooten Station.
EDMUND JONES,	Caldwell,	Patterson.
F. M. JOHNSTON,	Davie,	Farmington.
G. W. LAMB,	Duplin,	Wallace.
NEILL LEACH,	Moore,	Big Oak.
F. H. LEATHERWOOD,	Jackson,	Webster.
G. N. LEWIS,	Nash,	Nashville.
W. R. LINDSAY,	Rockingham,	Pleasantville.
J. A. LOCKHART,	Anson,	Wadesboro.
W. A. LOWREY,	Forsythe,	Winston.
T. S. LUTTERLOH,	Cumberland,	Fayetteville.
A. C. MEARES,	Brunswick,	Shallotte.
B. F. MEBANE,	Alamance,	Mebanesville.

REPRESENTATIVES—*Continued.*

NAME.	COUNTY.	POST OFFICE.
W. G. MELSON,	Tyrrell,	Fort Landing.
J. C. MILLER,	Davidson,	Denton.
D. C. MOORE,	Pitt,	Bethel.
DR. J. MCCORKLE,	Iredell,	Moorsville.
MONTFORT MCGEHEE,	Person,	Cunningham's Store.
J. A. MCLEAN,	Guilford,	McLeansville.
JOHN NEWELL,	Bladen,	Clarkton.
R. M. NORMENT,	Robeson,	Lumberton.
A. C. OLIVER,	Robeson,	Fair Bluff.
W. H. ORCHARD,	Cabarrus,	Concord.
S. F. OSBORNE,	Beaufort,	Fork Swamp.
J. H. PAXTON,	Transylvania,	Cherry Field.
W. D. PETTIPHER,	Craven,	New Berne.
L. E. POWERS,	Cleaveland,	Shelby.
T. L. RAWLEY,	Rockingham,	Ruffin.
JOHN REID,	Macon,	Franklin.
J. F. REID,	McDowell,	Old Fort.
J. T. REYNOLDS,	Halifax,	Enfield.
V. V. RICHARDSON,	Columbus,	Whiteville.
W. E. RICHARDSON,	Wake,	Eagle Rock.
DANIEL RITCHEY,	Stanley,	Gold Hill.
H. D. ROBESON,	Martin,	Robersonville.
H. E. SCOTT,	New Hanover,	Wilmington.
G. F. SMITH,	Davidson,	Linwood.
J. M. TAYLOR,	Wilson,	Wilson.
JOSIAH TURNER,	Orange,	Hillsboro.
E. L. VAUGHAN,	Alleghany,	Gap Civil.
S. VENABLE,	Stokes,	Pilot Mt.
W. H. WADDELL,	New Hanover,	Wilmington.
C. J. WHEELER,	Guilford,	Deep River.
J. A. WHITE,	Halifax,	Scotland Neck.
D. WIMBERLY,	Edgecombe,	Tarboro.
J. M. WOODHOUSE,	Currituck,	Poplar Branch.
R. W. WYNNE,	Wake,	Neuse.
TYRA YORK,	Wilkes,	Trap Hill.
NATHAN YOUNG,	Rutherford,	Brittain.

HOUSE JOURNAL,

SESSION 1879.

FIRST DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Jan. 8, 1878.

This being the day fixed by the amended Constitution of North Carolina for the meeting of the General Assembly, the House of Representatives met in its Hall at 12 o'clock, M., and was called to order by John D. Cameron, Principal Clerk of the preceding House, as by law directed.

The roll of counties was called, and the following gentlemen came forward and were duly qualified, and took their seats as members of this House:

Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Meares, Mebane, Moore, Moring, McCorkle, McLean, Newell, Norman, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus,

Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—105.

And a quorum appearing to be present, the Clerk announced the House ready to proceed to business.

The first business in order was the election of Speaker, and the Clerk announced that nominations were in order.

Mr. Cooke nominated Mr. J. M. Moring of Chatham.

Mr. Scott nominated Mr. R. M. Norment of Robeson.

And the House proceeded to vote with the following result:

For Mr. Moring.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bizzell, Blalock, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carroll, Carson, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, English, Foard, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—69.

For Mr. Norment.—Messrs. Battle, Bingham, Bird, Blaisdell, Cale, Carter of Warren, Cary, Christmas, Davis of Madison, Deans, Dimsdale, Dunn Ellison, Ferrell, Foy, Henderson, Horton, Lowrie, Moring, Newell, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne—26.

And Mr. Moring having received a majority of the votes cast was declared duly elected, and was conducted to the Chair by Mr. C. M. Cooke and Mr. R. M. Norment, and briefly acknowledged the honor of his election.

And, on motion of Mr. Jones, the House adjourned until to-morrow morning at 10 o'clock.

SECOND DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Jan. 9th, 1879.

The House met at 10 o'clock A. M., and was called to order by Mr. Speaker Moring.

The Journal of yesterday was read and approved.

The following gentlemen, members elect of this House, came forward and were duly qualified and took their seats as members of this body:

Messrs. Lutterloh, Blocker, Melson, Ewing, Clarke, Pettipher, Holt, Miller, Robertson, and Bateman.

The Speaker announced that the first business in order was the election of Principal Clerk.

Mr. Richardson of Columbus, nominated John D. Cameron of Orange.

Mr. Richardson of Columbus and Mr. Clarke were appointed to superintend the election, which was had with the following result:

For Mr. Cameron.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Chadwick, Clarke, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Dunn, Ellison, English, Ewing, Foard, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Meares, Mebane, Moore, McCorkle, McLean, Norment, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake,

Ritchey, Roberson, Scott, Taylor, Vaughan, Venable, Wheeler, White, Wimberley, Woodhouse, York and Young.

Mr. Turner voted for Mr. Mills.

Mr. Cameron was declared duly elected, and was qualified by the Speaker, and entered upon the duties of his office.

The Speaker announced as the next business the election of Reading Clerk.

Mr. York nominated Mr. R. W. Best, of Wake.

Messrs. Richardson and Clarke were appointed as tellers to superintend the election; and a vote was had with the following result:

For Mr. Best—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dims dale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Holt, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Miller, Moore, McCorkle, McLean, Newell, Norment, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—103.

And Mr. Best was declared duly elected, and entered upon the duties of his office.

The next business in order was the election of Principal Door Keeper; and Mr. Vaughan nominated Mr. John H. Hill, of Randolph.

The same gentlemen were appointed to act as tellers, and a vote was had with the following result:

For Mr. Hill.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bateman, Berry, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Meares, Mebane, Melson, Moore, McCorkle, McLean, Newell, Norment, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Rober son, Smith, Taylor, Turner, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—103.

And Mr. Hill was declared duly elected.

The election of Assistant Doorkeeper was announced as the next business in order; and Mr. Carson placed in nomination Mr. J. P. Norton, of McDowell.

Mr. Ellison nominated Mr. O. M. Roane, of Wake.

The same gentlemen were appointed to act as tellers, and the House proceeded to vote with the following result:

For Mr. Norton.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Berry, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dunn, English, Etheridge, Ewing, Foard, Forbes, Foster, Gatling, Goldston, Grant,

Harrell, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnston of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Meares, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Waddell, Wheeler, Woodhouse, York, and Young—83.

For Mr. Roane.—Messrs. Battle, Bruce, Cale, Carter of Warren, Cary, Christmas, Clarke, Dimsdale, Ellison, Ferrell, Foy, Henderson, Newell, Reynolds, Scott, Turner, White, Wimberly, and Wynne—18.

And Mr. Norton having received a majority of the votes cast was declared duly elected.

The election of Engrossing Clerk was next in order; and Mr. Cobb nominated Mr. W. J. Barrett, of Lenoir.

The same gentlemen were appointed to act as tellers, and the House voted with the following result:

For Mr. Barrett.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bateman, Bernard, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewitt, Hines, Holt, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Vaughan, Venable, White, Wimberly, Woodhouse, York, and Young.

And Mr. Barrett was declared duly elected.

A message was received from the Senate announcing the full organization of that body and its readiness to proceed to business.

On motion of Mr. Cobb, a message was ordered to be transmitted to the Senate announcing the organization of this House; and it was so transmitted.

INTRODUCTION OF RESOLUTIONS.

By Mr. Carter of Buncombe, a resolution to appoint a joint committee of two on the part of the Senate and three on the part of the House to wait on the Governor of the State to inform him that the General Assembly was ready to receive any message he would be pleased to communicate.

Under a suspension of the rules, the resolution was adopted and a message was sent to the Senate transmitting the same.

By Mr. Atkinson, a resolution, proposing to appoint a joint committee of three on the part of the Senate, and five on the part of the House to ascertain the public expenditures that can be curtailed, which was placed on the calendar.

By Mr. York, a resolution of request that our Representatives in Congress secure a reduction of the tax on liquor and tobacco; also acknowledging the efforts of Representative Scales to obtain a repeal of the tax on brandy; which was placed on the calendar.

By Mr. Brown of Mecklenburg, a resolution that the Speaker be requested to invite the Clergy of this city to open the daily sessions of this House with prayer; and under a suspension of the rules, the resolution was adopted.

By Mr. Blocker, resolution to put out the Public Printing to the lowest bidder; which took its place on the calendar.

INTRODUCTION OF BILLS.

By Mr. Richardson of Columbus, a bill to amend section 12, chap. 156, Laws of 1876–'7 relating to the Privilege tax on Merchandize;

By Mr. Vaughan, a bill to reduce and regulate the cost of the State Printing;

By Mr. Council, a bill to extend the time of J. M. McBride to settle taxes with the State Treasurer;

By Mr. Berry, a bill to amend the homestead and personal property exemption, ratified April 7, 1869;

By Mr. Blocker, a bill to secure personal property exemptions from execution; and

By Mr. Scott, a bill to define the jurisdiction of Justices of the Peace; all of which were placed on the calendar.

By Mr. Grant, a bill to repeal an Act providing for additional terms of the Superior Court of Northampton; and under a suspension of the rules by motion of Mr. Grant, the bill was taken from the calendar to be put on its several readings. On motion of Mr. Cooke, the ratifying clause was amended, so that the bill should go into effect from and after its ratification; and the bill, as amended, was put on its several readings and passed, and was ordered to be engrossed.

A message was received from the Senate, concurring in the proposition of the House to go into the election of Enrolling Clerk, and informing the House that Mr. A. D. Brooks of Alamance was in nomination; and also, that Senators Everett and Waddell were appointed tellers on the part of the Senate.

A message was also received from the Senate concurring in the proposition of the House to appoint a Committee to wait upon the Governor; and announcing Messrs. Scales and Davidson as the Senate branch of said Committee.

The chair announced Messrs. Carter of Buncombe, and

Armstrong and Harrison as the House branch of said Committee.

On motion of Mr. Jones, the House proceeded to the election of an Enrolling Clerk.

Mr. York nominated Mr. A. D. Brooks of Alamance.

Mr. Scott nominated Mr. W. K. Price of New Hanover.

The Speaker appointed Messrs. York and Scott tellers to superintend the election.

The following is the vote in the House:

For Mr. Brooks.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bizzell, Blalock, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, English, Etheridge, Ewing, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young.

For Mr. Price—Messrs. Battle, Bingham, Bird, Blaisdell, Blocker, Bruce, Cale, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Foy, Henderson, Horton, Lowrie, Miller, Newell, Norment, Pettipher, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne.

The report from the joint tellers showed that the whole number of votes cast was 150; of which Mr. Brooks received 113; Mr. W. K. Price 32, and Mr. A. Douglass 12, and Mr. Brooks was duly elected.

Mr. Carter of Buncombe, from the joint committee to wait on the Governor, reported to the House that his Excellency would communicate his message to the House at 1. P. M.

Mr. Brown of Yadkin appeared at the Speaker's desk and was qualified and took his seat as a member of this body.

At 1 P. M., the Private Secretary appeared, conveying the Governor's Message and accompanying documents.

The reading of the Message begun, but on motion of Mr. Vaughan, the further reading was suspended, and by order of the House, the Message and accompanying documents were transmitted to the Senate with a proposition to print.

Mr. Davis of Catawba moved that 2,400 copies of the Message be printed for the use of the House.

Mr. Lewis moved to amend by printing 1,200; which was accepted; and the motion, as amended, was adopted;

And on motion of Mr. Norment the House adjourned until to-morrow morning at 10 o'clock.

THIRD DAY.

House of Representatives,
Friday, Jan. 10, 1879.

Mr. Speaker Moring called the House to order at 10 o'clock.

The Journal of yesterday was read and approved.

A leave of absence was granted to Mr. Harrell of Wilkes county, on account of sickness in his family.

RESOLUTIONS.

By Mr. Turner, a resolution concerning the election law;

By Mr. Blocker, a resolution in regard to currency and internal revenue;

By Mr. Clarke, a resolution concerning the forms of bills and resolutions; and

By Mr. Brown of Mecklenburg, a resolution in regard to the public debt; all of which were placed on the Calendar.

INTRODUTION OF BILLS.

The following bills were introduced and referred to the Judiciary Committee:

By Mr. Bernard, a bill to amend Battle's Revisal, chap. 17, sec. 236;

By Mr. Clarke, a bill to repeal the privilege tax on merchants and other traders;

By Mr. Hines, a bill to amend the laws of 1876–'77;

By Mr. Brown of Mecklenburg, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal;

By Mr. Covington, a bill to amend chapter 255, laws of 1876–'77, entitled an act to divide the State into nine Judicial Districts;

By Mr. Dunn, a bill for extending the time to redeem land sold for taxes and bought by the State;

By Mr. Anderson, a bill for the punishment of the crime of incest;

By Mr. Clarke, a bill concerning the captions of bills and resolutions;

By Mr. Coffield, a bill to repeal chapter 206, laws of 1876–'77;

By Mr. York, a bill for the relief of Jurors in Wilkes county; and

All of the above bills took their place on the Calendar.

By Mr. Amis, a bill in regard to public roads. Committee on Railroads, Post Roads, &c.

By Mr. Reynolds, a bill to amend the act to regulate elections. Referred to the Committee on Propositions and Grievances.

By the same, a bill to exempt merchants from the payment of a special privilege tax. Referred to the Finance Committee.

By Mr. Reynolds, a bill to authorize the election of a township constable. Referred to the Committee on Propositions and Grievances.

By Mr. Scott, a bill to repeal chapter 141, laws of 1876–'7, entitled an act to establish County Governments. Referred to the Joint Committee on County Governments.

The Speaker announced the following gentlemen as composing the Committee on Engrossed Bills: Messrs. Woodhouse, English, Holt, Armstrong, Harrison, Etheridge, Clarke and Dunn.

A message was received from the Senate with a proposition to amend the proposition of the House to print the Message of his Excellency the Governor by directing that twenty copies be provided for each member of the General Assembly; and also to print the Report of the Commissioner of Agriculture.

On motion of Mr. Vaughan, action on the message of the Senate was postponed until Monday next.

A message was also received from the Senate announcing to the House that the Senate had passed S. B. 10, a bill to repeal the Act of the session of 1874–'5, providing for two additional terms of the Superior Court for the County of Wayne; and

S. B. 11, a bill to repeal chapter 50 of the session of 1873–'4, and also chapter 100, acts of 1873–'4, and asking the concurrence of the House therein.

They were read the first time in this House and both were placed on the Calendar.

The Speaker administered the oath of qualification to R. W. Best, Reading Clerk, W. J. Barrett, Engrossing Clerk, John H. Hill, Principal Doorkeeper, and John P. Norton, Assistant Doorkeeper, officers elect ef this body.

THE CALENDAR

was taken up.

H. B. 1, a bill to amend section 12, chapter 166, Laws of 1876–'7, relating to the privilege tax was put on its second reading.

Mr. Jones moved to refer the bill to the Committee on Finance.

On the question of reference, Mr. York demanded the ayes and nays. After discussion, the motion to refer was withdrawn, and the question recurred on the passage of the bill.

Mr. Atkinson offered the following amendment:

Resolved, That the special tax on merchants be so amended that the tax shall be in proportion to the amount of business done.

On this amendment Mr. Ellison demanded the ayes and nays; the call was sustained, and the amendment was rejected by the following vote:

Ayes.—Messrs. Atkinson, Barringer, Bird, Blalock, Bruce, Bryson, Carter of Buncombe, Carter of Yancey, Click, Council, Covington, Davis of Haywood, Dimsdale, Ewing, Forbes, Foster, Goldston, Mebane, Paxton, Reid of McDowell, Ritchey, and Vaughan—22.

Nays.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Warren, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Cobb, Coffield, Colwell, Cooke, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Board, Foy, Gatling, Grant, Harrison, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson of Davie, Lamb, Leach, Leatherwood, Lindsay, Lockhart, Lowrie, Lutterloh, Meares, Melson, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Roberson, Scott, Smith, Taylor, Turner, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—88.

Mr. Carter of Buncombe, offered the following amendment:

Resolved, That the special tax of five dollars shall not apply to merchants and others doing business on a capital of less than one thousand dollars.

On the passage of the bill on its second reading, Mr. Richardson of Columbus, demanded the Previous Question. The call was sustained, and the main question was ordered. On the passage of the bill on its second reading, Mr. Ellison demanded the Ayes and Nays. The call was sustained, and the bill passed by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Grant, Harrison, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Johnson of Davie, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—98.

Nays—Messrs. Atkinson, Bird, Blalock, Bryson, Carter of Buncombe, Carter of Yancey, Davis of Haywood, Goldston, Jones, Paxton, and Rawley—11.

And without objection the bill was put on its third reading, passed, and was ordered to be sent to the Senate for concurrence.

On motion of Mr. Cooke, S. B. 10, a bill to repeal the Act of the session of 1874-'5, to provide for two additional terms

of the Superior Court of the County of Wayne, was put on its several readings, and passed, and was ordered to be enrolled for ratification.

By consent, Mr. Turner introduced a resolution, entitled "Compounding Felony." Resolution concerning the same in the case of Littlefield and Swepson.

Mr. Turner moved to suspend the rules to put the resolution on its passage; and on that motion a division was had and the motion to suspend the rules prevailed.

Mr. Vaughan moved to strike out the preamble to the resolution, and after discussion, the motion to strike out prevailed.

Under the resolution, the Speaker, Mr. Cooke in the chair, appointed the following gentlemen to act under its provisions: Messrs. Turner, Lockhart and Foard.

A message was received from the Senate requesting that a joint committee of five on the part of the House, and three on the part of the Senate, be appointed to report joint rules for the government of both Houses of the General Assembly.

On motion the proposition of the Senate was concurred in; and under its provisions, the Speaker appointed the following gentlemen as the House branch of the Committee: Messrs. Cobb, Davis of Catawba, Ardrey, Norment and Blaisdell.

Mr. Clarke moved to take up H. R. 6, a resolution in relation to the public printing, and the question was put and the motion was rejected.

On motion of Mr. Davis of Catawba, S. B. 11, a bill to repeal chapter 50 of the session of 1874-'5, and also chapter 100, Acts of 1873-'4, was put on its several readings, and passed, and was ordered to be enrolled for ratification.

And on motion of Mr. Jones, the House adjourned until to-morrow morning at 10 o'clock.

FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday Jan. 11, 1879.

The House met at half-past ten o'clock and was called to order by Mr. Cooke of Franklin, and opened with prayer by the Rev. Dr. Marshal of the city.

The Journal of yesterday was read and approved.

Mr. Armstrong asked and obtained leave to record his vote in the affirmative on H. B. 1 which passed this House yesterday.

MEMORIALS AND PETITIONS.

The following memorials and petitions were presented and for the present assigned to the Calendar:

By Mr. Coffield, a petition from certain citizens of Harnett county in relation to debts contracted before the ratification of the Constitution;

By Mr. Scott, a petition from New Hanover county praying for the repeal of the prohibitory law;

By Mr. Covington, a petition to amend Chapter 161, Laws of 1876–'7, in regard to the Probate of Deeds;

By Mr. Covington, a petition for the protection of birds in Union county;

By Mr. Bernard, a petition in relation to the use of seins, drag nets, etc., in the county of Pitt and adjoining counties;

By Mr. Barringer, a petition from certain citizens of Rowan county praying for the abolishment of the homestead, the revival of the whipping post, the reduction of salaries and fees, &c;

By Mr. Foster, a memorial from citizens of Ashe to incorporate Riverside Camp Ground, and by Mr. Jones a memo-

rial from citizens of Wilkes in relation to a change of county boundary lines.

INTRODUCTION OF RESOLUTIONS.

By Mr. Blocker, a resolution to inquire into the charges against B. R. Brown, member of the House from the county of Yadkin;

By Mr. Turner, a resolution concerning a Committee of Investigation;

By Mr. Turner, a resolution concerning the creation of a sinking fund to pay public debts;

By Mr. Coffield, a resolution in regard to *per diem*;

By Mr. Jones, a resolution to appoint a Committee on Rules;

By Mr. Cobb, a resolution asking information from the Attorney General; and

By Mr. Wynne, a resolution in favor of practical reform; all of which were placed on the Calendar.

REPORTS OF COMMITTEES.

Mr. Woodhouse, from the Committee on Engrossed Bills, reported that H. B. No. 1, a bill to amend section 12, chapter 156, of the Laws of 1876-'7, relating to the Privilege Tax on Merchants, as correctly engrossed, and it was transmitted to the Senate for concurrence.

INTRODUCTION OF BILLS.

The following bills were introduced, all of which were placed on the Calendar for the present:

By Mr. Covington, a bill to protect game in Union county;

By the same, a bill to amend chapter 161, laws of 1876-'77, an act in relation to the probate of deeds and conveyances, and the privy examination of married women;

By Mr. Horton, a bill to allow the sheriff of Hertford county to collect arrears of taxes;

By Mr. Bernard, a bill to repeal an act, section 1, chapter 105, laws of 1876–'77, and insert an act in its stead;

By Mr. York, a bill to exempt deeds and mortgages from seal tax;

By Mr. Foy, a bill to define the rights of mortgagees and mortgagers in all mortgages to secure the payment of debts on real estate, chattel and mixed estates;

By Mr. Foy, a bill to limit the jurisdiction of the Judges of the Superior Courts and Justices of the Peace in civil actions;

By Mr. Foard, a bill to amend chapter 2, Battle's Revisal, and Chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist;

By Mr. Reynolds, a bill to reduce the salaries of State officers;

By Mr. Council, a bill to amend section 1, chapter 14, laws of 1874–'75;

By the same, a bill to amend the act to aid in the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow-Gauge Railroads;

By Mr. Burroughs, a bill in regard to listing property;

By Mr. Wynne, a bill to repeal Chapter 141, laws of 1876–'77;

By Mr. Christmas, a bill to provide compensation for persons imprisoned wrongfully;

By Mr. Ellison, a bill to enlarge and define the jurisdiction of Justices of the Peace;

By Mr. Brown of Mecklenburg, a bill to amend the act to establish County Governments, ratified 27th day of Feb., 1877;

By Mr. Brown of Mecklenburg, a bill to extend the Raleigh and Augusta R. R. from any point on its line to any point in or near the City of Charlottte;

By Mr. Carter of Buncombe, a bill to incorporate the Bank of Asheville;

By Mr. York, a bill to amend the laws of 1876–'77 to relieve drovers from the ten dollars tax on horses and mules purchased within the State; and

By Mr. Reynolds, a bill amendatory of, and supplementary to, an act to revise and consolidate the public school laws, ratified March 9th, 1877;

A message was received from the Senate announcing the passage of a resolution to appoint a joint select committee to determine the ridings of the Judges of the Superior Courts, and asking a concurrence in the same.

The Chair announced the following standing committees:

Judiciary Committee:—Messrs. Cooke, Carter of Buncombe, Cobb, Lockhart, Covington, Vaughan, Foard, Norment, Etheridge, Bernard, Clarke, Atkinson and Dunn;

Finance:—Messrs. Richardson of Columbus, Brown of Mecklenburg, Lewis, Colwell, Amis, Blalock, Chadwick, Gatling, Carter of Yancey, Goldston, Angier, Deans, Reynolds, Carter of Warren, Lowrie and Ewing;

Internal Improvements:—Messrs. Carter of Buncombe, Bryson, Goldston, Coffield, Davis of Haywood, Brown of Mecklenburg, Rawley, Richardson of Columbus, Forbes, Council, McCorkle, Chadwick, Lutterloh, Miller, Meares, Oliver, Bateman, Taylor and Wynne;

Corporations:—Messrs. Jones, Holt, Orchard, Lindsay, Smith, Grant, Melson, Hines, Lamb, Ferrell, Bird, Cale, and Carter of Warren.

Propositions and Grievances:—Messrs. Lockhart, Armstrong, Bizzell, Burroughs, Angier, Bost, Buchan, Young, Reid of Macon, Click, Foster, Grant, Hewitt, Powers, Bruce, Foy, Turner, Waddell and Battle.

Privileges and Elections:—Messrs. Cobb, Covington, York, Richardson of Wake, Bizzell, Moore, Clarke and Osborne.

Private Bills:—Messrs. Davis of Catawba, McCorkle, Leatherwood, Foard, Huffstetler, Wheeler, Carroll, Leach, Buchan,

Lamb, Forbes, Davis of Madison, Venable, Dimsdale, Bingham, Scott, Horton and Blocker.

Agriculture, Mechanics and Mining:—Messrs. Ardrey, Colwell, Davis of Catawba, Lewis, Grant, Atkinson, Burroughs, Woodhouse, Smith, Ritchey, Huffstetler, Reid of Macon, Blalock, Blocker, Scott, White and Newell.

Penal Institutions:—English, Mebane, Harrell, Reid of McDowell, Wheeler, Leatherwood, Ritchey, Carroll, Roberson, Bonner, Turner, Dixon, Hobbs, Henderson, and Brown of Yadkin.

On motion of Mr. Vaughan the rules were suspended and Mr. Blocker's resolution in reference to Mr. Brown, of Yadkin, was taken from the Calendar.

Mr. Norment moved to make it special order for 12 M. Wednesday, which motion did not prevail.

Mr. Jones moved to strike out all after the word "Brown" and the amendment was accepted.

Mr. Foy moved an amendment, by way of a substitute, proposing that a special committee of three be appointed to inquire why the member from Yadkin is not in his seat in this House. The question was put on the substitute and it failed of its adoption.

The resolution as amended was then adopted and under its provision, Messrs. Blocker, Vaughan and Colwell were appointed as the committee.

Mr. Foard moved to reconsider the vote by which the resolution in regard to the Swepson-Littlefield investigation was adopted yesterday.

On this motion Mr. Turner called for the ayes and nays.

On motion of Mr. Jones, the business before the House was postponed for five minutes; the business was suspended and his resolution to appoint a committee on rules for the government of the House, was taken from the Calendar and adopted.

Mr. Vaughan moved to take up H. B. 2, in relation to the Public Printing.

The motion prevailed and the rules were suspended, when,

The Speaker announced that the time for the resumption of the unfinished business had arrived.

On motion of Mr. Vaughan, a further postponement of ten minutes was had.

The question then recurred on the passage of the bill on its second reading.

Mr. Atkinson moved to amend by providing that all the work done by the State Printer for the State shall be at one half the present rates.

On the passage of the bill on its second reading Mr. Vaughan called the previous question.

The call was sustained, and the main question was put, and the question recurred on the amendment of Mr. Atkinson, which, on a division, was rejected.

The bill then passed its second reading.

Mr. Foard then called for a resumption of the suspended business.

Mr. Vaughan moved for a further postponement, which prevailed.

Mr. Vaughan moved to suspend the rules, and take up the bill and put it on its third reading, which motion prevailed.

Under the call of Mr. Vaughan, the previous question was ordered, the bill passed its third reading, was ordered to be engrossed and sent to the Senate.

Mr. Vaughan moved to reconsider the vote by which the bill passed its third reading and moved to lay that motion on the table, which motions prevailed.

UNFINISHED BUSINESS.

The unfinished business was resumed. The question recurred on the motion of Mr. Foard to reconsider the vote by which the Swepson-Littlefield investigating resolution was adopted yesterday.

Mr. Turner called for the ayes and nays on this motion, and the call was not sustained, and the question on the motion to reconsider was put, and on a division was rejected.

Mr. Speaker Moring, Messrs. Jones, Vaughan, Bryson, and Harrison were announced as the Committee on Rules for the House.

Mr. Turner moved to suspend the rules to take up resolution introduced by himself appropriating not above $100 for the expenses of the Swepson–Littlefield investigating committee.

Mr. Vaughan moved to adjourn till Monday 10 o'clock, A. M.

Mr. Anderson on that motion called for the ayes and nays. The call was not sustained and the House adjourned to the time indicated.

FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, Jan. 13, 1879.

The House met at 10 o'clock, and was called to order by Mr. Speaker Moring; and was opened with prayer by the Rev. Mr. Gwaltney of the city.

The Journal of Saturday was read and approved.

Messrs. Hobbs of Hyde and Fulcher of Dare, members elect, came forward and were duly qualified, and took their seats as member of this body.

INTRODUCTION OF PETITIONS.

By Mr. Council, a petition from certain citizens of the County of Watauga praying for the repeal of the tax on Seals of the Superior Court;

By Mr. Richardson of Columbus, a petition from citizens of the County of Columbus, praying for the prohibition of the sale of liquors within three miles of Rehoboth church in said county; and

By the same gentleman, a counter petition against said prohibition;

All of which were referred to the Committee on Propositions and Grievances.

By Mr. Jones, a petition from the Commissioners of Caldwell County to empower them to levy a special tax; which was referred to the Committee on Finance;

By Mr. Council, a petition from certain citizens of Watauga County to exempt the Clerk, or amend the law, so as to allow him to attend his office on Monday, either in person or by Deputy; which was referred to the Committee on the Judiciary; and

By Mr. Bird, a petition to incorporate the Reedy Patch Methodist Church; which was referred to the Committee on Corporations.

Mr. Cobb, from the Committee on Rules, reported that the House Branch of the Committee had had a conference with the Senate Branch, and that the Committee would soon report.

Mr. Woodhouse, from the Committee on Engrossed Bills, reported that

H. B. 2, a bill to reduce and regulate the cost of Public Printing had been correctly engrossed, and a message was transmitted to the Senate conveying the same and asking concurrence therein.

INTRODUCTION OF RESOLUTIONS.

The following resolutions were introduced and placed on the Calendar:

By Mr. York, a resolution for a conference with the South

Carolina Legislature in regard to obstructions to the free passage of fish in the Yadkin and other rivers.

By Mr. Clarke, a resolution concerning the reduction of the salaries, fees and emoluments of State officers.

By Mr. Berry, a resolution to appoint a Joint Select Committee to inquire into the management of the Western N. C. R. R.

By Mr. Colwell, a resolution to appoint a Joint Committee to investigate railroad freights.

By Mr. Henderson, a resolution of instruction.

By Mr. Rawley, a Joint Resolution requiring the State Geologist to make a report, &c.

By Mr. Norment, a resolution to relieve Ex-Governor W. W. Holden from his disabilities. Referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

The following bills were introduced and referred to the Judiciary Committee:

By Mr. Carter of Buncombe, a bill to repeal the law providing for the maintenance of lunatics outside of the Insane Asylum.

By Mr. Norment, a bill to repeal chapter 84, laws of 1875–'75, and chapter 91, laws of 1876–'77.

By Mr. Norment, a bill to regulate interest;

By Mr. Foard, a bill for the benefit of Jurors in Surry county;

By Mr. Scott, a bill to amend chapter 32, Battle's Revisal, entitled "Crimes and Punishments";

By Mr. Scott, a bill to amend chapter 176, laws of 1873–'74, entitled "Crimes and Punishments";

By Mr. Lutterloh, a bill to change the time of holding Superior Courts in the Fourth Judicial District;

By Mr. Ellison, a bill to amend chapter 10, private laws of 1876–'77;

By Mr. Cobb, a bill to amend Chapter 105, Battle's Revisal, entitled "Salaries and Fees";

By Mr. Cobb, a bill to amend Chapter 32, Battle's Revisal, entitled "Crimes and Punishments";

By Mr. Cobb, a bill to amend the Code of Civil Procedure, Section 343;

By Mr. Cobb, a bill to make the killing of live stock indictable; and

By Mr. Chadwick, a bill to repeal part of Chapter 161, laws of 1876–'77, relating to the probate of deeds, &c.

The following bills were introduced and placed on the Calendar:

By Mr. Brown of Mecklenburg, a bill to amend Section 28, Chapter 105, Battle's Revisal.

By Mr. Reid of Macon, a bill for the relief of the tax collector of Macon county;

By Mr. Reynolds, a bill for the support of the Institution for the Deaf and Dumb and the Blind for the years 1879–'80.

The following bills were introduced, read by their titles and referred to the committee on Finance:

By Mr. Jones, a bill to allow the commissioners of Caldwell county to levy a special tax.

By Mr. Amis, a bill to remedy a failure to levy taxes in Granville county in the year 1878.

By Mr. Bost, a bill to regulate the privilege tax on public ferries.

The following bills were referred to the Committee on Corporations:

By Mr. Lewis, a bill to incorporate the Louisburg and Nashville branch of the Wilmington and Weldon Railroad.

By Mr. Young, a bill to incorporate Payne's Benevolent Society of Rutherford county.

By Mr. Click, a bill to incorporate the Trustees of Centre Point Institute, Iredell county.

By Mr. Jones, a bill to change the line between the coun-

ties of Wilkes and Caldwell. Referred to the committee on Counties, Cities, Towns, &c.

By Mr. Reynolds, a bill to entitle teachers of the 1st grade to $2 per day; 2d grade $1.50; 3d $1 per day. Referred to the committee on Education.

By Mr. Leatherwood, a bill for the relief of the tax collector of Jackson county. Referred to the committee on Propositions and Grievances.

By Mr. Dimsdale, a bill giving free fishing privileges to the people in Polk county. Referred to the committee on Propositions and Grievances.

By Mr. McCorkle, a bill for the relief of prisoners confined in common jails. Referred to same committee.

The morning hour having expired, the Speaker, Mr. Jones in the chair, announced that the question before the House was the

UNFINISHED BUSINESS

of the session of Saturday, being the consideration of the motion of Mr. Turner to suspend the rules to take up a resolution introduced by him in regard to a Committee of Investigation.

The question was put on the motion to suspend the rules, and on a division, the motion to suspend prevailed.

Mr. Blocker sent forward the following amendment:

"The Committee will also inquire if any Public Printer has ever received from the State Treasurer for printing any more than he was entitled to."

Pending the consideration of the amendment, a message was received from the Senate, informing the House that the Senate had received a report from the Committee on Joint Rules, and had adopted the same and had transmitted it to the House with a proposition to print.

A message was also received transmitting S. B. 9, a bill for the relief of F. J. Satchwell, Sheriff of Beaufort county, which was referred to the Committee on Propositions and Grievances; and S. R. 21, a resolution in favor of Hon. David Schenck, which was referred to the Committee on Finance.

Mr. Cobb moved to suspend the business now before the House for five minutes to take up the message of the Senate in regard to Joint Rules. The motion prevailed, and the rules as amended by the Senate were read, and the report was adopted, and a message was sent to the Senate informing that body of the concurrence of the House.

Mr. Bernard moved to suspend the rules to take up S. B. 9 for the relief of F. J. Satchwell, and the House refused to suspend the rules.

The question then recurred on the amendment of Mr. Blocker, and being put, was lost.

Mr. Vaughan offered the following amendment:

"*Provided*, that said Committee shall not be authorized to incur expenses in excess of one hundred dollars."

The question was put on the amendment, and on a division, it was rejected by a vote of 36 ayes, nayes 46, and the motion was then put on its several readings, and passed, and was ordered to be engrossed and transmitted to the Senate for concurrence.

Mr. Atkinson moved to suspend the rules to take up H. R. 2, a resolution on retrenchment and reform.

Mr. ——— offered the following amendment:

By adding, "with full power to send for persons and papers;" and the amendment was accepted.

Mr. Vaughan offered the following amendment, "Provided that the expenses incurred shall not exceed fifty dollars."

The amendment was accepted, and the resolution as amended, passed its several readings and was ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Coffield,

H. R. 12, a resolution in regard to *per diem*, was put on its several readings and passed, and was ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Brown of Mecklenburg,

H. R. 10, a resolution in regard to the Public Debt, was taken up, put on its several readings, passed and was ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. York,

H. R. 3, a resolution of instruction to the North Carolina delegates in Congress, was taken up on its several readings, and passed its second reading. Upon going to its third reading, Mr. Taylor moved to strike out the word "whiskey." The amendment was accepted, and as amended, the resolution passed, and was ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Clarke, the rules were suspended and H. R. 9, a resolution in regard to the forms of Bills and Reslutions, was put on its passage and adopted.

On motion of Mr. Cooke, the rules were suspended and S. R. 3, a resolution to appoint a Joint Committee on the ridings of the Judges of the Superior Courts, was put on its several readings and passed, and was ordered to be enrolled for ratification.

On motion of Mr. Berry, the rules were suspended, and

H. R. 22, a resolution to raise a Joint Select Committee to inquire into the management of the W. N. C. R. R., was taken up and put upon its several readings.

Mr. Davis of Haywood, moved to refer the resolution to the Committee on Internal Improvements.

On that motion, Mr. ..... demanded the yeas and nays. The call was sustained, and the House refused to commit by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bernard, Bird, Bost, Brown of Mecklenburg, Brown of Yadkin, Burroughs, Carson, Cobb, Colwell, Cooke, Davis of Haywood, English, Etheridge, Foard, Forbes, Fulcher, Goldston, Grant, Huffstetler, Johnson of Davie, Lewis, Lockhart, Mebane, Moore, McLean, Orchard, Powers, Richardson of Wake, Smith, Taylor, Turner, Wheeler, Woodhouse, and Young—39.

Nays.—Messrs. Atkinson, Barringer, Bateman, Battle, Berry, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bruce, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Council, Davis of Catawba, Davis of Madison, Dixon, Ellison, Foster, Foy, Harrison, Hewett, Hines, Hobbs, Jones, Leatherwood, Lowrie, Lutterloh, Meares, Melson, Miller, McCorkle, Newell, Norment, Oliver, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Vaughan, Venable, Waddell, White, Wimberly, Wynne, and York—63.

The question then recurred on the passage of the resolution.

Mr. Turner moved an amendment, the effect of which was to make the committee to consist of three instead of five, one from the Senate and two from the House.

Mr. Rawley offered the following amendment:

Resolved, further, That said committee be authorized to examine the Western Insane Asylum at Morganton, and to make a full report of the progress of the work, management and financial condition of the same;" and the amendment was accepted.

By leave, Mr. Woodhouse, from the Committee on Engrossed Bills, reported that

H. R. 2, a resolution on retrenchment and reform, had

been correctly engrossed, and it was transmitted to the Senate for concurrence.

The question then recurred on the amendment of Mr. Turner. When by consent it was withdrawn.

On the passage of the resolution, Mr. Berry called the previous question, which was withdrawn that the resolution might be read for the information of the House.

Mr. Turner gave notice of an amendment.

By consent Mr. Bruce introduced a bill to amend chapter 67, Private Laws of 1866–'7, which was referred to the Committee on Internal Improvements.

The following committee appointed under the resolution to arrange the ridings of the Judges of the Superior Courts was announced: Messrs. Vaughan, Cobb, Carter of Buncombe, Cooke, Lockhart, Etheridge and Clarke.

Mr. Brooks, Enrolling Clerk elect, was duly qualified by the Speaker of the House.

The business before the House was resumed.

Mr. Berry renewed the demand for the previous question, which was sustained and the main question put.

Mr. Turner sent forward the following amendment:

Resolved, That said committee shall, when evidence is discovered, implicating any person in any frauds and peculations in this work, take steps to have them bound over to the proper court to answer in a criminal prosecution.

The question was then put on the amendment, which was adopted, and the resolution as amended passed, and was ordered to be engrossed and transmitted to the Senate for concurrence.

THE SPECIAL ORDER

Being a message from the Senate of the date of January 10th in relation to the Public Printing, &c., was announced,

and on motion, was farther postponed and made special order for to-morrow at 1 o'clock.

On motion of Mr. Clarke, H. B. 20, in relation to the caption of bills, was put on its second reading and passed, and went to its third reading, when Mr. Lockhart moved to refer the bill to the Judiciary Committee. On a division the motion failed by a vote of 45 ayes, 46 nays.

Mr. Carter of Buncombe, moved to lay the bill on the table which motion, on a division, prevailed by a vote of 47 ages to 44 nays.

On motion of Mr. Council,

H. B. 3, a bill for the relief of A. J. McBride, Sheriff of Watauga, was put on its several readings..

Mr. Lutterloh moved to add the name of R. W. Hardie, Sheriff of Cumberland, which was agreed to.

On motion of Mr. Lewis, the bill was referred to the Committee on Finance.

On motion of Mr. York, H. B. 9, a bill for the relief of jurors in the county of Wilkes was taken up, and on motion of Mr. Cooke was referred to the Committee on the Judiciary.

On motion of Mr. Council,

H. B. 35, a bill to amend the act to aid in the construction of the Chester and Lenoir, and the Caldwell and Watauga Narrow Gauge Railroads, was taken from the Calendar, and referred to the Committee on Internal Improvements.

Mr. Blocker moved to suspend the rules to put H. B. 68, a bill to extend the time of collecting debts made before the adoption of the Constitution of 1868, on its several readings; and on motion of Mr. Cooke, the bill was referred to the Committee on the Judiciary.

A message was received from the Senate transmitting

S. R. 77, a resolution raising a select committee to investigate the different departments of the State Government; and

S. R. 81, a resolution of instruction to the Joint Committee on Printing, both of which take their place on the Calendar.

Mr. Bernard moved to put S. B. 9, a bill for the relief of F. J. Satchwell, on its passage, but on motion the bill was referred to the Committee on Finance.

Mr. Clarke moved to take H. B. 20 previously tabled, from the table; but on motion of Mr. Ardrey, the House adjourned until to morrow morning at 10 o'clock.

SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Jan. 14, 1879.

The House was called to order at 10 o'clock, and was opened with prayer by the Rev. Dr. Pritchard of the city.

The Journal of yesterday was read, amended and approved.

INTRODUCTION OF PETITIONS.

By Mr. Norment, a petition from citizens of Alfordsville township in Robeson county praying for the prohibition of the sale of intoxicating liquors within two miles of Salem Methodist Church; which was placed on the Calendar;

By Mr. Covington, a petition from Citizens of Union county to make an allowance to those soldiers who lost their sight in the late war between the North and South; and

By Mr. Mebane, a petition from citizens of Alamance county to repeal the prohibitory law in the town of Graham; both of which were referred to the Committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Cooke, from the Judiciary Committee, reported favorably on H. B. 14, with amendment, a bill to amend sections 4 and 7, chap. 37, Battle's Revisal; and unfavorably on H. B. 11, a bill to amend Battle's Revisal, chap. 17, section 237; on H. B. 12, a bill to repeal the privilege tax on merchants and other traders, and on H. B. 13, a bill to amend the laws of 1876–'7.

Mr. Richardson, of Columbus, from the Finance Committee, reported favorably on H. B. 58, a bill to remedy a failure to levy taxes in Granville county in the year 1878; on H. B. 46, a bill to allow the Commissioners of Caldwell county to levy a special tax; and unfavorably on H. B. 17, a bill to exempt merchants from the payment of a special privilege tax.

Mr. Holt, from the Committee on Corporations, reported favorably on H. B. 49, a bill to incorporate Payne's Benevolent Society of Rutherford county.

Mr. Lockhart, from the Committee on Propositions and Grievances, reported favorably on H. B. 21, a bill to authorize the election of township constable; and unfavorably on H. B. 69, a bill to give free fishing privileges to the people of Polk county; also on H. B. 71, a bill for the relief of prisoners confined in common jails of this State.

Mr. Woodhouse, from the Committee on Engrossed Bills, reported the following resolutions as correctly engrossed:

H. R. 22, a resolution to appoint a joint select committee to inquire into the management of the Western N. C. R. R.;

H. R. 15, a resolution concerning a committee of investigation;

H. R. 12, a resolution in regard to *per diem;* and

H. R. 3, a resolution of request to our Congressional representatives,

And a message was sent to the Senate transmitting the same, and asking the concurrence of that body.

Mr. Carson, from the Committee on Enrolled Bills, reported the following bills to have been correctly enrolled:

S. R. 10, H. R. 18, a resolution to appoint a Joint Select Committee, and determine the Ridings of the Judges of the Superior Courts.

S. B. 10, H. B. 23, an act to repeal the act of the session of 1874–'75, providing for two additional terms of the Superior Court for the county of Wayne.

H. B. 1, S. B. 63, an act to amend section 12, chapter 156 of the laws of 1876–'77, relating to the privilege tax on merchants, &c.

H. R. 2, S. R. 79, a resoulution on Retrenchment and Reform.

H. B. 6, S. B. 64, an act to repeal an act entitled an act providing for additional terms of the Superior Courts of the counties of Northampton and Halifax, ratified on the 17th day of March, 1875.

S. B. 11, H. B. 24, An act to be entitled "An act to repeal chapter fifty, acts of 1873–'74," and also chapter one hundred of the acts of 1873–'74.

INTRODUCTION OF RESOLUTIONS.

By Mr. Covington, a resolution of instruction to the Principal Clerk of the House; and

By Mr. Smith, resolution to raise a joint select committee to inquire into freight and travel rates. Both of which were placed on the Calendar.

By Mr. Lindsay, a resolution to raise a joint select committee to make tabular report of the State's interests in public works.

And by Mr. Deans, a resolution in relation to public taxes;

Both of which were referred to the Finance Committee.

By Mr. Turner, a resolution asking the opinion of the Attorney General;

By Mr. York, a resolution to raise a select joint committee to consider the fishing interests of the State ;

By Mr. Colwell, a resolution concerning the Moffitt Bell Punch ; and

By Mr. Cooke, a resolution of instruction to the Finance Committee to report in the Revenue Bill a privilege tax on practicing Attorneys-at-law ; all of which were placed on the Calendar.

By Mr. Turner, a resolution concerning an act to create a sinking fund ; and

By the same, a resolution expressing the will of the House of Representatives ;

Both of which were referred to the Committee on Propositions and Grievances.

By Mr. Battle, a resolution to provide for increasing the time for keeping open the Public Schools. Referred to the committee on Education.

INTRODUCTION OF BILLS.

The following bills were introduced and referred to the Judiciary Committee as follows :

By Mr. Brown, of Mecklenburg, a bill to amend chapter 287, laws of 1876–'77 ;

By Mr. McLean, a bill to amend section 4, chapter 37, Battle's Revisal ;

By Mr. Council, a bill to exempt the Clerk of the Superior Court of Watauga county from the provisions of chapter 136, laws of 1871–'72 ;

By Mr. Anderson, a bill to amend chapter 255, section 9, laws of 1876–'77, in reference to the courts in the 9th judicial district ;

By Mr. Colwell, a bill concerning commercial tourists and agents ;

By Mr. Blalock, a bill to repeal the act allowing county commissioners and others to hire out convicts ;

By Mr. Covington, a bill to amend chapter 247, laws of 1874–'75, in relation to fees in State cases;

By the same, a bill to secure to litigants in the courts of justices of the peace a more speedy determination of their rights;

By Mr. Bost, a bill to amend chapter 9, sections 1 and 2, Battle's Revisal, in regard to bastard children;

By Mr. Cooke, a bill to alter the Constitution of North Carolina in relation to punishments;

By Mr. Amis, a bill to altar section 2, article 6, of the Constitution;

By Mr. Lockhart, a bill to amend sub-section 9, section 33, Code of Civil Procedure;

By Mr. Scott, a bill to amend chapter 38, laws of 1876–'77; and

By Mr. Norment, a bill to amend chapter 9, Battle's Revisal;

By Mr. Amis, a bill to protect sheep and tax dogs. Referred to committee on Agriculture, Mechanics and Mining.

By Mr. Davis, of Haywood, a bill to amend chapter 101, laws of 1876–'77;

By Mr. Blaisdell, a bill to repeal chapter 29, laws of 1876–'77; and

By Mr. Ardrey, a bill to amend chapter 83, private laws of 1876–'77; all of which were placed on the Calendar.

By Mr. Wynne, a bill for the protection of the people from the depredations of discharged convicts; and

By Mr. Pettipher, a bill to allow the commissioners of Craven county to work persons sentenced to the penitentiary on county works; and

Both bills were referred to the committee on Penal Institutions.

The following were introduced and referred to the Committee on Propositions and Grievances:

By Mr. Orchard, a bill to prevent tramps infesting or depredating on citizens of the State;

By Mr. Council, a bill to allow the Sheriff of Watauga county to collect arrears of taxes; and

By Mr. Mebane, a bill to amend section 1, chapter 226, laws of 1876-'77.

The following were referred to the Committee on Finance:

By Mr. Bruce, a bill authorizing the Tax Collector of Cherokee to collect the unpaid taxes of said county for the years of 1876-'77; and

By Mr. Bruce, a bill authorizing the tax collector of Graham county to collect the unpaid taxes of said county for the year 1877; and

By Mr. Brown of Mecklenburg, a bill to amend chapter 105, Battle's Revisal, entitled "Salaries and Fees."

By Mr. Orchard, a bill to amend chapter 240, laws of 1874-'75, an act entitled an act to prevent discriminations in freight tariffs by railroad companies operating in this State. Referred to the Committee on Corporations.

By Mr. York, a bill to amend the charter of the Northwestern N. C. R. R. Co., for the construction of a second division from Winston and Salem, Forsythe county, up the Yadkin River Valley, by Wilkesboro, to Patterson, Caldwell county. Referred to the Committee on Railroads, Post Roads, &c.

By Mr. McLean, a bill in relation to Sheriffs, Superior Court Clerks and Registers of Deeds. Referred to the Committee on Counties, Cities, Towns and Townships.

The Speaker caused to be made the following announcement of Committees:

On Claims:—Messrs. Bryson, Hewett, Bonner, Leach, Carson, Horton, White, and Newell.

On Education:—Messrs. McLean, English, Johnson, Davis of Catawba, Rawley, Moore, Angier, Buchan, Council, Foard, Ewing, Ellison, Cary, and Reynolds.

On Salaries and Fees:—Messrs. Amis, Taylor, Paxton, Lamb, Gatling, Berry, Carter of Yancey, Ardrey, Atkinson, Young, Bateman, Wimberly, and Pettipher.

On Immigration:—Messrs. Anderson, Harrell, Hines, Lindsay, Meares, Barringer, Ferrell, Powers, Norment, Cale, and Wimberly.

On Railroads, Post Roads and Turnpikes:—Messrs. Vaughan, Richardson of Wake, Oliver, McLean, Johnson, Leatherwood, Brown of Yadkin, Blocker, and Carter of Warren.

On Military Affairs:—Messrs. Etheridge, Armstrong, Blalock, Meares, Coffield, Clarke, Lowrey, and Osborne.

On Counties, Cities, Towns and Townships:—Messrs. Bernard, Reid of McDowell, Anderson, Berry, Click, Davis of Haywood, Deans, Christmas, and Battle.

On Retrenchment and Reform:—Messrs. Atkinson, McLean, York, Colwell, and Blocker.

House Branch of the Committee on the Public Printing:—Messrs. Covington, Jones, Vaughan, Carter of Buncombe, Foster, Moore, Scott, and Venable.

The following changes in Committees previously announced: Mr. Clarke will be taken from the Committee on Privileges and Elections, and placed on the Committee of Internal Improvements; and Mr. Miller will be taken from the Committee on Internal Improvements and placed on that of Privileges and Elections.

Messrs. Barringer and Bateman are added to the Committee on Finance, Mr. Bost to the Committee on Agriculture, and Mr. Robertson to the Committee on Internal Improvements.

Mr. Lamb was announced as having been detained from his seat in the House to-day by sickness.

On motion of Mr. Brown of Mecklenburg, all bills on the Calendar, not previously assigned because of the non-existence of committees, were now assigned by the Speaker to their appropriate committees.

A message from the Senate was announced informing the House that the Senate had passed a joint resolution referring to a Select Committee the Governor's Message referring to

public roads and highways and asking concurrence therein; which resolution was placed on the Calendar.

Also, the passage of S. R. 100, H. R. 10, a resolution in regard to the public debt, and appointing Messrs. Mebane, Caldwell, Bledsoe, Lyon, and Mitchell as the Senate branch of said committee.

Mr. Clarke moved to reconsider the vote by which H. B. 20, a bill in relation to the captions of Bills and Resolutions was yesterday laid on the table, for the purpose of being referred to the Committee on the Judiciary.

On motion of Mr. Cooke, the rules were suspended, and a resolution introduced by himself this morning, a resolution of instruction to the Committee on Finance, was taken up and put on its passage and adopted.

On motion of Mr. Colwell, the resolution introduced by himself during this morning's session in relation to the Moffitt Bell Punch, was taken up. Mr. Brown, of Mecklenburg, moved to amend by inserting the words "or coupons." The amendment was adopted, and as amended, the resolution was adopted.

Mr. Clarke moved to suspend the rules to take up H. R. 5, a resolution in relation to the public printing.

On this motion to suspend the rules, Mr. Clarke demanded the ayes and nays. The call was sustained, and the rules were suspended by the following vote:

Ayes.—Messrs. Atkinson, Bateman, Battle, Bernard, Berry, Bingham, Blaisdell, Blalock, Blocker, Brown of Yadkin, Bruce, Buchan, Cale, Carter of Warren, Cary, Christmas, Clarke, Cooke, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Ewing, Foard, Forbes, Foy, Gatling, Goldston, Grant, Harrison, Hobbs, Holt, Horton, Leach, Leatherwood, Lewis, Lowrie, Lutterloh, Melson, Miller, Newell, Norment, Osborne, Pettipher, Powers, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne—54.

Nays.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bizzell, Bost, Brown of Mecklenburg,

Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, English, Foster, Fulcher, Hewett, Hines, Huffstetler, Jones, Johnson, Lindsay, Lockhart, Meares, Mebane, Moore, McCorkle, McLean, Orchard, Paxton, Rawley, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Vaughan, Wheeler, Woodhouse, York, and Young—48.

Mr. Richardson of Columbus, moved to refer the resolution to the Committee on Printing.

On the motion to refer, Mr. Blocker called the previous question. The call was sustained, and the main question ordered, and the motion to refer was sustained by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Berry, Bingham, Bizzell, Blalock, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, English, Foard, Foster, Gatling, Golston, Grant, Hewett, Hines, Holt, Jones, Johnston, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Rawley, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Turner, Vaughan, Wheeler, Woodhouse, York, and Young—65.

Nays.—Messrs. Bateman, Battle, Blaisdell, Blocker, Brown of Yadkin, Bruce, Cale, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Foy, Harrison, Hobbs, Horton, Lowrie, Lutterloh, Miller, Newell, Norment, Osborne, Pettipher, Scott, Venable, Waddell, White, Wimberly, and Wynne—33.

On motion of Mr. Amis,

H. B. 58, a bill to remedy a failure to levy taxes in the County of Granville for the year 1878 was put on its second

reading; the ayes and nays were called, and the bill passed its second reading by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Turner, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—100.

Nays.—None.

Mr. Turner moved to reconsider the vote by which H. R. 5 was referred to the committee on printing.

Mr. Cobb moved to lay that motion on the table. On that motion Mr. Clarke demanded the ayes and nays. The call was sustained and the motion to table the motion of Mr. Turner to reconsider was laid on the table by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Bernard, Bizzell, Blalock, Bost, Brown of of Mecklenburg, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Foster, Fulcher, Gatling, Goldston, Grant, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Leach, Leatherwood,

Lewis, Lindsay, Lockhart, Meares, Mebane, Moore, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Vaughan, Wheeler, Woodhouse, York, and Young—64.

Nays.—Messrs. Bateman, Battle, Bingham, Blaisdell, Blocker, Brown of Yadkin, Bruce, Cale, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Ewing, Foy, Harrison, Hobbs, Horton, Lowrie, Lutterloh, Miller, Newell, Reynolds, Roberson, Scott, Turner, Venable, Waddell, White, Wimberly, and Wynne—35.

Mr. Carson stated that he was necessarily absent from the Hall at the time the vote was taken. If he had been present he would have voted in the affirmative.

On motion of Mr. York, a resolution to form a committee to take under consideration the fishing interests of North Carolina, was taken up and put on its passage and passed, and was ordered to be engrossed and sent to the Senate.

By leave, Mr. Carter of Buncombe, from the committee on the Judiciary, made a report on H. B. 19, a bill for the punishment of the crime of incest; submitting a substitute, and with the adoption of the substitute, recommending that the bill do pass.

On motion of Mr. Vaughan, the bill was put on its readings, and the question was on the substitute offered by the committee.

Mr. Lindsay moved to amend by striking out the words "imprisonment in the county jail." But pending consideration of the amendment, the House yielded to the motion of Mr. Jones to recommit the bill to the Judiciary Committee; and it was so recommitted.

THE SPECIAL ORDER,

Being the message of the Senate of January 9th, in rela-

tion to the publication of the Governor's Message and the Report of the Commissioner of Agriculture, was announced; and it being a question of concurrence, the House, on motion refused to concur; and a message to that effect was ordered to be sent to the Senate.

CALENDAR.

The Calendar was taken up, and

H. R. 8, a resolution in regard to currency and internal revenue was taken up, and on motion of Mr. Bizzell, the resolution was laid on the table,

And on motion, the House adjourned until to-morrow morning at 10 o'clock.

SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Jan. 15th, 1879.

The House met at 10 o'clock and was called to order by Mr. Speaker Moring.

The reading of the Journal was begun, but on motion, was suspended, and ruled to stand as approved.

Mr. Blocker rose to a question of personal privilege in regard to a report of transactions in the House during yesterday's proceedings, as appeared in the columns of the *News* newspaper.

INTRODUCTION OF PETITIONS.

By Mr. Norment, a petition from certain citizens of Robeson county in favor of William J. Humphrey, a blind

soldier of the late war between the States, which was referred to the Committee on Propositions and Grievances; and

By Mr. Orchard, a petition from sundry citizens of No. 3 township of Cabarrus county, which takes its place on the Calendar.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the Committee on Finance, made a favorable report on

H. R. 28, S. R. 21, a resolution in favor of Judge David Schenck, and on

H. R. 31, a joint resolution to appoint a committee to furnish a tabulated report of State's interests in all public works.

Mr. Jones made a report from the Committee on Joint Rules, which, for the present, was placed on the Calendar.

Mr. Cooke, from the Committee on the Judiciary, reported on

H. B. 29, a bill to exempt deeds and mortgages from seal tax, with a substitute; and recommending with the adoption of the substitute, the passage of the bill;

Favorably on

H. B. 91, a bill to amend sub-section 9, section 33, of the Code of Civil Procedure; and unfavorably on

H. B. 92, a bill to amend chapter 38, laws of 1876–'77; on

H. B. 76, a bill to protect the honest trades and professions from impositions and frauds; and on

S. B. 84, a bill concerning commercial tourists and agents.

Mr. Ardrey, from the Committee on Agriculture, Mechanics' and Mining, reported favorably on

H. B. 32, a bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist.

Mr. Woodhouse, from the Committee on Engrossed Bills, reported the following resolution to have been correctly en-

grossed, and it was transmitted to the Senate for concurrence:

H. R. 38, resolution to form a committee to take under consideration the fish interest of North Carolina.

INTRODUCTION OF RESOLUTIONS.

The following resolutions were introduced and placed on the Calendar:

By Mr. Carey, a resolution relating to the printing of bills and resolutions of a public character;

By Mr. Lindsay, a resolution of instruction to Joint Committee on Public Printing; and

By Mr. Turner, a resolution to expel and banish a member.

INTRODUCTION OF BILLS.

By Mr. Colwell, a bill to amend sections 8 and 10, chapter 30, Battle's Revisal, relating to the duties of county treasurer. Referred to the Committee on Counties, Cities, Towns, &c.

By Mr. Bizzell, a bill to amend chapter 88, private laws of 1874–'5, an act to incorporate the Fayetteville and Goldsboro R. R. Co. Referred to the Committee on Internal Improvements.

By Mr. Richardson of Wake, a bill in relation to the case of the State of North Carolina against George W. Swepson and M. S. Littlefield; and

By Mr. Brown of Mecklenburg, a bill to amend the charter of the city of Charlotte, both of which were referred to the Committee on Judiciary.

By Mr. Davis of Madison, a bill to incorporate the Warm Springs Toll Bridge Company. Referred to the Committee on Corporations.

By Mr. Reynolds, a bill to establish normal schools for

each race in each Congressional District. Placed on the Calendar.

The following bills were referred to the Committee on Propositions and Grievances:

By Mr. Ewing, a bill to establish a public ferry in the counties of Montgomery and Stanly;

By Mr. Hobbs, a bill to allow the citizens of Chowan County to fish in the waters of said county without paying any tax;

By Mr. Meares, a bill to prevent the enticing seamen from vessels;

By Mr. Berry, a bill prohibiting the sale of spirituous liquor near Pleasant Hill Baptist and the Methodist church near Turkey Tail, Burke county;

By Mr. Blalock, a bill to indemnify the county of Mitchell;

By Mr. Chadwick, a bill to amend chapter 48, Battle's Revisal;

By Mr. Leatherwood, a bill to allow the citizens of Jackson county to pass toll gates in Macon county free of charge; also to allow citizens of Macon county to pass toll gates in Jackson county free of charge;

By Mr. Orchard, a bill to prohibit the sale of spirituous liquor within one mile of Shiloh M. E. Church, South, Mooresville Circuit, Cabarrus county;

By Mr. Ellison, a bill to amend the act to establish a Criminal Court in the county of Wake.

By Mr. Norment, a bill to alter the Constitution of North Carolina in relation to the insane. Referred to the Committee on Insane Asylum.

By Mr. Paxton, a bill to incorporate the Trustees of Macedonia Baptist Church, Transylvania county. Referred to the committee on Corporations.

The following bills were introduced and referred to the committee on Finance:

By Mr. Bird, a bill to regulate the equalization of taxes in Henderson county;

By Mr. Bateman, a bill to allow the sheriff of Washington county to collect arrears of taxes; and

By Mr. Gatling, a bill to regulate the official bonds of sheriffs.

By Mr. Vaughan, a bill to amend the charter of the Mt. Airy R. R. Co., and to provide for the building of a railroad from Greensboro, Guilford county, to Ore Knob, Ashe county. Referred to the committee on Railroads, Post-roads, &c.

On motion of Mr. Richardson of Columbus, indefinite leave of absence was granted to Mr. Deans on account of sickness in his family; and on motion of Mr. Clarke, indefinite leave was granted to Mr. Dunn on account of sickness.

Mr. Speaker caused the announcement of the following as the House branch of the committee on the State Debt: Messrs. Brown of Mecklenburg, Foard, Davis of Catawba, Cooke, Orchard, Cobb, Hines, and Clarke; and a message was sent to the Senate notifying that body of said appointment.

On motion of Mr. Jones from the committee on rules of order, the report made by him during this morning's session was taken up and read for the information of the House.

On motion of Mr. Ellison, the report was read and put by sections. The first, second, third and fourth sections were adopted. In section five a sub-section was added and adopted to read as section six. Section six of the old rules were adopted to read as section seven. Section seven, the rule in relation to the power of the Speaker over dilatory motions was stricken out.

The business before the House was suspended to receive a message from His Excellency the Governor, covering the report of W. D. Rollins, President of the Western Division of the W. N. C. R. R. Co., which was on motion ordered to be printed for the use of this General Assembly.

The business before the House was resumed, and the ninth, tenth and eleventh sections were adopted. Section twelve, in relation to a suspension of the rules by a two-thirds vote, on a division was rejected. Section thirteen was adopted; and the report, as amended, was adopted as a whole; and on motion of Mr. Jones, was ordered to be printed, and one hundred and fifty copies thereof be furnished for the use of this House.

Mr. Atkinson moved to suspend the rules to take up S. R. 77, a resolution for the appointment of a committee on retrenchment and reform. On motion of Mr. York, the resolution was laid on the table, a resolution of similar import having been passed by the House; and a message was sent to the Senate informing that body of the action of the House.

A message was received from the Senate, informing the House that the Senate had receded from its proposition to print the Message of His Excellency the Governor, and concurs in the proposition of the House to print.

And a message was also received from the Senate, S. R. 67, a joint resolution requiring the State Geologist to make a report, which was read the first time in this House, and placed on the Calendar.

On motion of Mr. Reynolds, the rules were suspended to take up a bill introduced by him at this morning's session, and on his motion, the bill was referred to the Committee on Education.

Mr. Turner moved to suspend the rules to take up a resolution introduced by himself at this morning's session, and the House refused to suspend the rules.

On motion of Mr. Foard, H. B. 32, a bill to abolish the office of State Geologist, was taken up on its several readings, and pending consideration, the business before the House was suspended by unanimous consent to receive a message from the Senate transmitting a substitute by the Senate for H. B. 2, a bill to reduce and regulate the cost of public printing.

Mr. Covington moved to concur in the substitute made by the Senate.

Upon this motion Mr. Ellison demanded the ayes and nays and the call was sustained.

Mr. Ellison gave notice of an amendment.

Upon the question of concurrence, Mr. York demanded the previous question. The call was sustained, and the main question ordered.

The amendment offered by Mr. Ellison was then read as follows:

"Amend by striking out 40 cents and inserting 62½ cents per thousand ems."

And on that amendment Mr. Ellison demanded the ayes and nays. The call was not sustained, and the question then recurred on the question of concurrence in the substitute to the bill made by the Senate; and concurrence was had by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bizzell, Blaisdell, Blalock, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lockhart, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Turner, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—93.

Nays.—Messrs. Bird, Blocker, Brown of Yadkin, Clarke, Ellison, Foy, Harrison, Hobbs, Lindsay, Lowrie, Lutterloh, Newell, Osborne, Richardson of Wake, Scott, Waddell, and Wynne—17

The consideration of H. B. 32 was then resumed.

On the passage of the bill on its second reading, Mr. Foard demanded the previous question. The call was sustained and the main question ordered. The question then was upon the passage of the bill on its second reading. Upon which Mr. Foard called the ayes and nayes. The call was sustained, and the bill passed its second reading by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ewing, Ferrell, Foard, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, Wynne, York and Young.—104.

Nays.—Messrs. Clarke, Dunn, Etheridge, Jones, and Scott.—5.

And the bill was put on its 3rd reading. Upon which Mr. Foard demanded the previous question, which was ordered and the main question put, and the question being upon

the passage of the bill on its 3rd reading, the bill passed and was ordered to be engrossed and transmitted to the Senate for concurrence.

Mr. Foard moved that the vote by which the bill passed its final reading be reconsidered, and that motion laid on the table, and the vote to table prevailed.

Mr. Amis moved to put H. B. 58 on its third and final reading.

Mr. Turner rose to a question of personal privilege in regard to certain newspaper publications referring to him.

Mr. Jones rose to a point of order inasmuch as Mr. Turner did not confine himself to the question raised.

The Chair, Mr. Cooke in the Chair, decided that the point was well taken, but ruled that Mr. Turner might proceed on the point of personal privilege. Upon which Mr. Vaughan appealed from the decision of the Chair; but upon a re-statement of the point by the Chair, withdrew the appeal.

Mr. Jones then appealed from the decision of the Chair, which was subsequently withdrawn, and Mr. Turner was allowed to proceed,

When, on motion of Mr. Anderson, the House adjourned until to-morrow morning 10 o'clok.

EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Jan. 16, 1879.

The House met at 10 o'clock and was called to order by Mr. Speaker Moring.

The Journal of yesterday was read and approved.

Leave was granted to Mr. Atkinson to record his vote on H. B. 32, which passed this House yesterday.

Mr. Burroughs was announced as having been detained from his seat in the House yesterday by sickness.

INTRODUCTION OF PETITIONS.

By Mr. Bost, a petition from sundry persons of Rowan county praying the passage of a stock law in said county, which was placed on the Calendar; and

By Mr. Richardson of Wake, a petition from citizens of Panther Branch and St. Mary's Townships, in the county of Wake, praying for the prohibition of the sale of spirituous liquors within three miles respectively of Bethel, Holland and Middle Creek Churches in said county, which was referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Norment, from the committee on the Judiciary, reported unfavorably on

H B. 85, a bill to repeal an act allowing County Commissioners and others to hire out convicts.

Mr. Covington from the same committee, reported on

H. B. 18, a bill extending the time to redeem land sold for taxes and bought by the State, with a substitute, and recommending that with the adoption of the substitute, the bill do pass.

Mr. Cooke, from the same committee, reported on H. B. 28, a bill to repeal sec. 1, chapter 105, laws of 1876–'7, and insert an act in its stead, with the recommendation that it be referred to the committee on Propositions and Grievances; and it was so ordered by the House.

On H. B. 8, a bill to repeal chapter 206, laws of 1876–'7, with the recommendation that it do pass; and unfavorably on

H. B. 30, a bill to define the rights of mortgagees and

mortgagors in all mortgagees to secure the payment of debts on real estate chattel and mixed estates.

Mr. Lockhart, from the committee on Propositions and Grievances, reported favorably on

H. B. 98, a bill to amend section 1, of chapter 260, laws of 1876–'7; and unfavorably

H. B. 96, a bill to prevent tramps from infesting or depredating upon citizens of the State; and favorably on

H. B. 114, a bill to prevent the enticing of seamen from vessels,

On H. B. 110, a bill to establish a public ferry in the counties of Montgomery and Stanly, with a recommendation that it be referred to the committee on Corporations, and the reference was so ordered by the House; and unfavorably on

H. B. 124, a bill to amend an act to establish a criminal court for the county of Wake.

Mr. Covington, from the committee on the Judiciary, also reported on

H. B. 52, a bill to regulate interest, with an adverse report; and Mr. Clarke from the same committee submitted a minority report.

INTRODUCTION OF RESOLUTIONS.

The following resolutions were introduced and placed on the Calendar:

By Mr. Holt, a resolution in regard to chap. 274, laws of 1876–'7;

By Mr. Turner, a resolution concerning a bold, audacious and public robbery of the State by Legislative and Judicial action on the part of the railroad corporations, judges and carpet baggers;

By Mr. Turner, a resolution concerning Rules of Order; and

By Mr. Foard, a resolution in relation to the charitable institutions of the State.

The following were referred to the Judiciary Committee:

By Mr. Ardrey, a resolution asking the jurisdiction of Inferior Courts be extended; and

By Mr. Ellison, a resolution of instruction to the Judiciary Committee in regard to the establishment of one or more criminal circuits.

INTRODUCTION OF BILLS.

By Mr. Scott, a bill to relieve merchants and traders in certain cases. Referred to the Committee on Finance.

By Mr. Dunn, a bill to incorporate the Kinston Fire Co., No. 1, of the town of Kinston;

By Mr. Armstrong, a bill to incorporate the Burgaw Male and Female Academy, Pender county, both of which were referred to the Committee on Corporations.

By Mr. Anderson, a bill to repeal chapter 65, laws of 1876–'77, an act for the removal of road exemptions in Clay county. Referred to the Committee on Railroads, Postroads, &c.

By Mr. Lewis, a bill to prevent the felling of trees and brush in the main run of Swift Creek from Lewis' bridge, Edgecombe county, to Whitaker's bridge, Nash county;

By Mr. Anderson, a bill to repeal the act to provide a fund for the payment of jurors in Alleghany and Clay counties, being chapter 102, laws of 1876–'77;

By Mr. Click, a bill to secure the better drainage of the low-lands of Fourth Creek between Baker's Mill, Rowan county, and Hayne Davis' Mill, Iredell county;

By Mr. Click, a bill to prohibit the sale of spirituous liquors within two miles of New Salem Church, Iredell county;

By Mr. Jones, a bill to prevent felling of timber in certain streams in Caldwell county;

By Mr. Burroughs, a bill to protect game in Granville county; all of which were referred to the Committee on Propositions and Grievances.

By Mr. Mebane, a bill to reform bills of costs in civil suits; and

By Mr. Harrell, a bill to legalize the acts of the Board of Commissioners of Wilkes county at a meeting on the 16th of December, 1878, both of which were referred to the Committee on Judiciary.

By Mr. Goldston, a bill to change the name and authorize the consolidation of the Western R. R. Co., with the Fayetteville & Florence R. R. Co., and the Mt. Airy R. R. Co., and to complete the same. Referred to the Committee on Internal Improvements; and

By Mr. Lindsay, a bill to allow Madison township, Rockingham county, to subscribe to a railroad, which was referred to the same committee.

By Mr. Wimberly, a bill to amend the act to establish county governments, which was referred to the Committee on Counties, Cities, &c.

By Mr. Holt, a bill to amend section 12, chapter 104, Battle's Revisal. Referred to the Committee on Railroads, Postroads, &c.

THE UNFINISHED BUSINESS

of yesterday was taken up, being

H. B. 58, a bill to remedy a deficiency in the commissioners of Granville county to levy a special tax for the year 1878, the bill being on its third reading.

Before the vote was taken, Mr. Norment asked and obtained leave to have H. B. 116, a bill to alter the Constitution of North Carolina in relation to the Insane, &c., which had been referred to the Committee on the Insane Asylum, withdrawn from that Committee and referred to the Judi-

ciary Committee, and the reference was so ordered by the House.

The House then proceeded to vote on H. B. 58, which passed its third reading by the following vote, and was ordered to be engrossed and sent to the Senate for concurrence:

Ayes.—Messrs. Amis, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foard, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, Wimberly, Woodhouse, Wynne, York, and Young—101.

Nays.—None.

Indefinite leave of absence was granted to Mr. Robertson on account of sickness in his family.

Mr. Reid of Macon, was announced as detained by sickness from his seat in the House to-day.

Mr. York moved to reconsider the order of the House made yesterday to print a bill introduced by Mr. Reynolds to establish normal schools in each congressional district. On a division, the motion to reconsider prevailed by a vote of ayes 57, nays 26; and the question was put on the proposition to print, and the motion failed.

Mr. Jones moved to suspend the rules to take up H. B. 46, a bill to allow the commissioners of Caldwell county to

levy a special tax. After discussion, Mr. Jones moved to refer the bill to the committee on the Judiciary. Leave was granted to Mr. Jones to proceed in explanation of his views after having been called to order by Mr. Norment for violation of a House rule of order regulating the right of a member to speak to a question. Mr. Jones subsequently withdrew the motion to refer; Mr. Clarke renewed the motion to refer; and on motion the question was put and lost.

The question was then on the passage of the bill on its second reading, and a vote was had with the following result:

Ayes.—Messrs. Amis, Armstrong, Atkinson, Blalock, Bost, Bryson, Carter of Buncombe, Carter of Yancey, Carson, Colwell, Davis of Haywood, Etheridge, Forbes, Foster, Gatling, Grant, Harrell, Johnson, Lindsay, McLean, Richardson of Columbus, Vaughan, Woodhouse, and Young—24.

Nays—Messrs. Anderson, Ardrey, Barringer, Bateman, Battle, Bernard, Bingham, Bird, Bizzell, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Cale, Carter of Warren, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Cooke, Council, Covington, Davis of Catawba, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Foy, Fulcher, Goldston, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Leach, Leatherwood, Lewis, Lockhart, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Turner, Venable, Waddell, Wheeler, Wimberly, Wynne, and York—80.

And the bill failed to pass its second reading.

Mr. Jones moved to reconsider the vote by which the bill failed to pass. Reconsideration was had, and on the motion of Mr. Jones, the bill was referred to the committee on the Judiciary.

A message was received from the Senate transmitting S.

B. 127, a bill to abolish the January term of the Cumberland Superior Court.

Also, a joint resolution to raise a joint committee on Federal Relations.

They were read the first time in this House, and were both placed on the Calendar.

Also a message from the Senate, transmitting

S. B. 61, a bill to amend section 40, chapter 105, of Battle's Revisal, regulating the fees of justices; also

S. R. 101, a substitute for H. R. 22, a resolution to raise a joint committee to investigate the management of the W. N. C. R. R.; also

S. R. 108, a resolution to pay Senators Waddell and Everett for service on State Board of Canvassers.

S. R. 61 was referred to the committee on Finance, and S. R. 101 and S. R. 108 were placed on the Calendar.

On motion of Mr. Blocker,

S. B. 127, a bill to abolish the January term of Cumberland Superior Court is put on its several readings and passed, and is ordered to be enrolled for ratification.

Mr. Lindsay moved to suspend the rules to take up H. R. 31, and on motion was sustained; but action on the resolution was suspended for the present.

Mr. Berry moved to take up the Senate substitute for H. R. 22, a resolution to raise a joint select committee to inquire into the management of the W. N. C. R. R.

The question was on the substitute offered by the Senate. The substitute was adopted, and the resolution so substituted was adopted and ordered to be enrolled for ratification.

Action on H. R. 31, a resolution to furnish tabular statements of the State's interest in all public works, was resumed.

Mr. Turner offered the following amendment:

"That the committee inquire into any fraud by which the State lost its interest in any public work, and espe-

cially its interest in the Deep River locks and dams, and the corporation known as the Wilmington, Charlotte and Rutherford Railroad corporation."

The question was put on the adoption of the amendment, and the House refused to adopt.

Mr. Turner sent forward the following amendment:

Amend by adding, "and that said committee shall, upon discovering evidence that any person or persons are now or have been heretofore engaged in peculations or conspiracies to defraud or cheat the State or any corporation in the State, such person shall be arrested by Magistrates' or Judges' warrants and bound over to court to answer the crime."

The question was then put on the amendment and carried by the following vote:

Ayes—Messrs. Amis, Anderson, Armstrong, Barringer, Bateman, Battle, Bernard, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Colwell, Covington, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrison, Henderson, Hewett, Hobbs, Holt, Horton, Lewis, Lowrie, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Newell, Norment, Oliver, Osborne, Paxton, Pettipher, Rawley, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Venable, Waddell, Wheeler, Wimberly, Wynne, and Young—82.

Nays—Messrs. Ardrey, Brown of Mecklenburg, Burroughs, Cooke, Council, Davis of Catawba, Davis of Haywood, Foard, Hines, Huffstetler, Johnson, Leach, Leatherwood, Lockhart, McLean, Orchard, Reid of McDowell, Richardson of Columbus, Vaughan, and York—20.

And the question was then put on the resolution as amended, and it was adopted and ordered to be engrossed and sent to the Senate for concurrence.

Mr. White was announced as being detained from his seat in the House to-day by sickness.

A message was received from His Excellency, the Governor, the report of W. L. Saunders, Secretary of the Board of Trustees of the University of North Carolina.

Mr. Vaughan moved that the House go into the election to fill the vacancies indicated in the report, and that the Senate be informed of the action of the House. The motion was agreed to; and a message was sent to the Senate that the House would go into an election of said Truestees on Wednesday next at 12 o'clock, and asking the concurrence of the Senate in the proposition.

On motion of Mr. York, the rules were suspended, and the substitute for H. B. 29, a bill to exempt deeds and mortgages from seal tax, was taken up.

Mr. Brown, of Mecklenburg, moved to refer the bill and substitute to the committee on Finance; and the question being put on the motion, it was lost.

The question was then on the subtitute of the Judiciary Committee, and it was adopted, and the bill so substituted was put on its second reading and passed.

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was taken up, and

H. B. 11, a bill to amend Battle's Revisal, chapter 17, section 237, was taken up, and on motion of Mr. Vaughan was laid on the table.

H. B. 12, a bill to repeal the privilege tax on merchants and other traders, on motion of Mr. Lewis, was laid on the table.

H. B. 8, a bill to repeal chapter 206, laws of 1876–'7, was put on its several readings and passed, and was ordered to be engrossed and sent to the Senate for concurrence.

H. B. 13, a bill to amend the laws of 1876–'7, was on motion of Mr. Ardrey, laid on the table.

H. B. 14, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal, was taken up, when on motion of Mr. Norment, the House adjourned until to-morrow morning at 10 o'clock.

NINTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, Jan. 17, 1879.

The House meets this day at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Atkinson of the city.

The Journal of yesterday is partly read, when the reading is suspended, and the Journal stands as approved.

INTRODUCTION OF PETITIONS.

The following petitions are introduced:

By Mr. Brown of Mecklenburg, a petition from Davidson College, which is referred to the Committee on Education;

By Mr. Mebane, a petition from Mebanesville and Melville townships in Alamance county, to prohibit the running of trains on rail roads on the Sabbath day; and by

Mr. Ellison, a counter petition from citizens of Panther Branch and St. Mary's townships, in the county of Wake, on the subject of prohibition; both of which are referred to the Committee on Propositions and Grievances.

LEAVES OF ABSCENCE, &C.

Leave of absence is granted to Mr. Grant until Tuesday

morning; and to Mr. Covington on account of sickness in his family.

Mr. Cobb is announced as detained by sickness from his seat in the House yesterday and to-day; and leave of absence is granted to Mr. Angier until Monday on account of sickness in his family.

REPORTS OF COMMITTEES:

Mr. Lockhart, from the Committee on Propositions and Grievances, report favorably on H. R. 36, a resolution expressing the will of the House of Representatives; and unfavorably on H. B. 113, a bill to allow the citizens of Chowan county to fish in the waters of said county without paying any tax; on H. B. 97, a bill to allow the Sheriff of Watauga county to collect arrears of taxes, and recommending the adoption of a prepared substitute for H. B. 60, a bill for the relief of Tax Collectors of Jackson county.

Mr. Carter, from the Committee on Judiciary, reports a substitute for H. B. 19, a bill for the punishment of the crime of incest.

Mr. Cobb, from the Committee on Judiciary, reports favorably on H. B. 64, a bill to amend chapter 105, Battle's Revisal, entitled "Salaries and Fees."

Mr. Carter, of Buncombe, from the Committee on Internal Improvements, reports favorably on H. B. 34, a bill to amend section 1, chapter 14, laws of 1874–'75; and H. B. 73, a bill to amend chapter 67, private laws of 1876–'77.

Mr. Bernard, from the Committee on Counties, Cities, Towns and Townships, reports favorably on H. B. 47, a bill to change the line between the counties of Wilkes and Caldwell; on H. B. 104, a bill in reference to Sheriffs, Superior Court Clerks and Registers of Deeds; on H. B. 106, a bill to amend section 8 and 10, chapter 30, Battle's Revisal, relating to the duties of County Treasurer; and on H. B. 38, a bill to repeal chapter 141, laws of 1876–'77, and favor-

ably on H. B. 55, a bill for the relief of the Tax Collector of Macon county.

Mr. Blocker, from the Committee on Railroads, Postroads and Turnpikes, reports favorably on H. B. 119, a bill to amend the charter of Mount Airy R. R. Co., and provide for the building of a railroad from Greensboro, Guilford county, to Ore Knob, Ashe county.

Mr. Ardrey, from the Committee on Agriculture, Mechanics, &c., reports unfavorably on H. B. 87, a bill to protect sheep and tax dogs.

Mr. Richardson of Columbus, from the Committee on Finance, reports unfavorably on H. B. 118, a bill to better regulate the equalization of taxes in Henderson county.

Subsequently by consent, Mr. Cooke, from the Committee on the Judiciary, reports on H. B. 15, a bill to amend chapter 255, laws of 1876–'77, an act to divide the State into nine Judicial Districts, with the recommendation that it be referred to the Committee on the Ridings of the Judges; and it is so ordered by the House; and favorably on H. B. 20, a bill concerning the captions of bills and resolutions; and on

H. B. 63, a bill to amend chapter 10, private laws of 1876–'77, with the request that the bill be referred to the committee on Corporations; and it is so ordered by the House; on

H. B. 68, a bill to extend the time of collecting debts contracted before the adoption of the Constitution of 1868, with the recommendation that it do not pass, inasmuch as it violates a provision of the Constitution of the United States; and on

H. B. 77, a bill to amend sec. 4, chap. 37, Battle's Revisal, reporting that the committee has reported another bill on the same subject.

Mr. Woodhouse, from the committee on Engrossed Bills, reported the following House bill and resolution to have

been correctly engrossed, and they were transmitted to the Senate for concurrence:

H. B. 8, a bill to be entitled an act to repeal chapter 206, laws of 1876–'77.

H. R. 31, a joint resolution to appoint a committee to furnish tabular report of State interest in all public work.

INTRODUCTION OF RESOLUTIONS.

By Mr. McLean, a resolution encouraging stock raising. Referred to the committee on Agriculture, Mechanics, &c.

By Mr. Barringer, a resolution of instruction to the committee on Retrenchment and Reform. Referred to the committee on Salaries and Fees.

By Mr. Amis, a resolution for the relief of the people and restoration of industrial pursuits; and

By Mr. Turner, a resolution to expel a member; both of which were referred to the committee on Propositions and Grievances.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Blocker, a bill to carry into effect the constitutional provision relating to the criminal jurisdiction of justices of the peace;

By Mr. Hobbs, a bill to provide for the re-assessment of damages where a mill dam is raised, causing other lands to be flooded;

By Mr. Rawley, a bill for the more speedy trial of criminals;

By Mr. English, a bill to amend Battle's Revisal, chap. 17, section 84;

By Mr. Norment, a bill to prevent the wanton fighting of game cocks and prevent betting;

By Mr. Davis of Madison, a bill to amend section 119, chapter 33, Battle's Revisal;

By Mr. Blocker, a bill to amend the act to authorize the several county authorities of the State to farm out convicts;

By Mr. Horton, a bill to change the times of the terms of the Superior Courts of the counties of Gates and Hertford;

By Mr. Bruce, a bill to authorize the Secretary of State to take up erroneous grants of land, and for other purposes;

By Mr. Newell, a bill to repeal chapter 61, section 1, laws of 1872–'73;

By Mr. Cooke, a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes and the insane of the State; and

By the same, a bill to regulate the practice of dentistry, and to protect the people against quackery in relation thereto, and providing penalties for the violations of the same.

By Mr. Orchard, a bill to allow the Tax Collector of the town of Concord, Cabarrus county, to collect arrears of taxes;

By Mr. Armstrong, a bill to repeal sections 5 and 6, chap. 2, Battle's Revisal; both of which were referred to the committee on Finance.

By Mr. Vaughan, a bill to amend chapter 104, Battle's Revisal, and regulate the manner of laying off public roads, which is referred to the committee on Rail Roads, Post-Roads, &c.;

By Mr. Council, a bill to amend section 1, chapter 104, laws of 1873–'74, in relation to the shooting and seining of mountain trout; and

By Mr. Pettipher, a bill to compel Rail Road Companies to provide footways across their bridges; both of which are referred to the committee on Propositions and Grievances.

By Mr. Ritchey, a bill to exempt the citizens of Stanly county from the provisions of chapter 141, laws of 1876–'77, as to elections of county commissioners and justices of the

peace, which is referred to the committee on Counties, Cities, &c.

By Mr. Bird, a bill to incorporate Reedy Patch Methodist Church, which is referred to the committee on Corporations.

By Mr. Turner, a bill to create a sinking fund, which is referred to the committee on Propositions and Grievances.

The morning hour having expired

THE UNFINISHED BUSINESS

of yesterday is taken up, being

H. B. 14, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal, the bill being on its second reading. The question is on the amendment offered by the Committee on the Judiciary, which is put and sustained on a division by a vote of 63 ayes, and the bill then passes its second reading.

A message from the Senate is announced transmitting

S. B. 35, a bill in regard to practice in criminal actions;

S. B. 38, a bill to punish incest; and

S. B. 25, a bill to make slander of women indictable.

They are read the first time in this House, and are all referred to the Committee on the Judiciary.

On motion of Mr. Covington, H. R. 29, a resolution of instruction to the Clerk of the House, is put on its passage and adopted.

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is taken up, and

H. B. 17, a bill to exempt merchants from the payment of a special privilege tax is put on its readings, and on motion of Mr. Clarke is laid on the table.

On motion of Mr. Foard,

H. R. 50, a resolution in relation to the charitable institutions of the State, is taken up.

Mr. Vaughan offers a substitute by way of an amendment; and the question is put upon the adoption of the substitute, which is adopted, and the resolution so substituted, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. York, the rules are suspended, and H. R. 19, a resolution for a conference with the South Carolina Legislature to remove obstructions from the Yadkin and other rivers for the free passage of fish, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Meares, the rules are suspended and H. B. 114, a bill to prevent the enticing of seamen from vessels, is put on its second reading.

Mr. Powers sends forward the following amendment:

Strike out the word "Wilmington," and insert "North Carolina," and strike out the word "locality" where it occurs, and insert "North Carolina."

The amendment is adopted, and as amended, the bill passes its second reading.

On motion of Mr. Jones,

H. B. 47, a bill to change the line between the counties of Wilkes and Caldwell, is put on its second reading, and after discussion, is on motion of Mr. York, postponed and made the special order for Friday, January 29th, at 12 o'clock M.

On motion of Mr. Leatherwood, the rules are suspended and

H. B. 60, a bill for the relief of the Tax Collector of Jackson county, is put on its readings.

The question is put on the adoption of the substitute offered by the committee.

Mr. Lewis offers the following amendment:

Amend by adding "one thousand eight hundred and eighty-eight," and the amendment is adopted; and the substitute as

amended is adopted, and the question is on the substituted bill on its second reading.

Mr. Davis of Haywood, offers the following proviso, which is adopted: "*Provided*, That this act shall not apply to the county of Haywood."

Mr. Ellison submits the following proviso, which is rejected: "*Provided*, This act shall not apply to the county of Wake."

Mr. Clarke moves to amend by providing the act shall not apply to the county of Craven.

Mr. Carter of Buncombe, offered the following amendment: "Amend by striking out 1872, 1873, 1874 and 1875 wherever they occur in the act."

Mr. Reid of Macon, offers the following as amendment to that of Mr. Carter: "Amend by including seventy-four and five."

Mr. Anderson moves to refer the bill to the committee on Finance.

Mr. Carter of Buncombe, sends forward the following to go with the bill to the committee as a proviso: "*Provided*, That no homestead shall be sold by any tax collector or sheriff for any tax to be collected under this act," and the question being upon the motion of Mr. Anderson to refer, it is adopted.

On motion of Mr. Carson

S. R. 18, a resolution referring to a select committee the message of the Governor referring to public roads, is taken up and passed and is ordered to be enrolled for ratification.

On motion of Mr. Reynolds, the rules are suspended and

H. B. 21, a bill to authorize the election of township constable is taken up, and passes its second reading, and is put on its third reading.

Mr. Vaughan offers the following amendment: Amend by striking out "first Thursday" and insert "first Tuesday in November, 1880."

Mr. Foard moved to refer the bill to the Judiciary Committee.

Mr. Atkinson offers the following amendment to go with the bill:

"That the election for constables in the different townships of the State be held at the regular election for State officers in the year 1880, and every two years thereafter."

The question is put on the motion to refer and on a division is lost by ayes 25, nays 69, and the question recurs on the amendment of Mr. Atkinson.

Mr. Jones addresses the House, reading an amendment to the bill as part of his remarks,

And on motion of Mr. Cooke the bill is recommitted to the committee on Privileges and Elections, with instructions to report a bill.

A MESSAGE FROM THE SENATE

is received communicating the amendment of the Senate to the proposition of the House to go into an election of Trustees of the University on Wednesday next at 12 M, by substituting Thursday next, at 12 M, and proposing farther that the report of the Board be printed.

And on motion of Mr. Vaughan, the House concurs in the proposition to defer the election until Thursday at the hour designated, and a message is sent to the Senate notifying that body of the same.

A message is received from the Senate transmitting

S. B. 36, a bill to allow defendants in certain criminal actions to become witnesses for themselves;

S. B. 149, a bill to be entitled an act for the relief of the sureties of J. M. Monger, late sheriff of Moore county;

S. B. 26, a bill to punish the abduction of children under the age of eighteen years; and

S. B. 14, a bill for revising and digesting the public statutes of this State.

They are read the first time in this House, and S. B. 14, 26 and 36 are referred to the Judiciary Committee, and S. B. 149 to the committee on Propositions and Grievances.

The Speaker announces the following committees:

House Branch of Committee on Public Buildings and Grounds: —Messrs. Richardson of Wake, Foster, Atkinson, Holt, and Ellison.

House Branch of Committee on Library:—Messrs. Moore, Lamb, Henderson, Dixon and Hewitt.

Insurance:—Messrs. Covington, Bizzell, Bost, Melson, Smith, Angier, Bird and Newell.

Banks and Currency.—Messrs. Orchard, Brown of Mecklenburg, Leatherwood, Davis of Haywood, Burroughs, Leach, Foy, Forbes and Wynne.

Insane Asylum:—Messrs. York, McCorkle, Foard, Lockhart, Richardson of Wake, Anderson, Barringer, Carson, Reid of McDowell, Click, Carter of Yancey, Johnson, Lutterloh, McLean and Norment.

Deaf and Dumb and the Blind Asylum:—Messrs. Mebane, Taylor, Cooke, Venable, Wheeler, Richardson of Wake, Harrell, Jones, Bingham, Christmas and Ellison.

The Speaker announces the following additions to, and alterations in committees heretofore appointed:

Mr. Blaisdell is placed on the committee on Judiciary; Mr. Dunn is taken from the committee on the Judiciary and placed on the committee on Banks and Currency; and Mr. Coffield is placed on the committee on Penal Institutions.

THE CALENDAR IS RESUMED.

H. B. 18, a bill for extending the time to redeem land sold for taxes and bought by the State, is put on its several readings.

The question is upon the substitute offered by the committee. The substitute is adopted, and as so substituted, the

bill passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 30, a bill to define the rights of mortgagees and mortgagers, &c., is taken up.

Mr. Brown of Yadkin, moves to adjourn; and the question being put, the House refuses to adjourn.

Mr. Covington moves to lay H. B. 30 on the table, and the motion prevails.

H. B. 84, a bill relating to commercial tourists and agents, is taken up, and on motion of Mr. Carroll is referred to the committee on Finance, with a substitute offered by him.

H. B. 49, a bill to incorporate Payne's Renevolent Society of Rutherford County, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

And on motion, the House adjourns until to-morrow morning at 10 o'clock.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, January 18, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring, and opens with prayer by the Rev. Dr. Pritchard of the city.

The reading of the Journal of yesterday is suspended, and it stands as approved.

Mr. Bonner, member elect from the county of Hyde, comes forward and is duly qualified, and takes his seat as a member of this House.

INTRODUCTION OF MEMORIALS, &C.

Mr. Brown of Mecklenburg, introduces sundry petitions

in relation to the running of trains and the work done by railroad companies on the Sabbath day, to-wit: from the Methodist Church, South, in North Carolina, and from the Synod of the Presbyterian Church; from the citizens of the city of Charlotte; from Back Creek church; from citizens of Steele Creek township; from citizens of Berry Hill township; another from citizens of Steele Creek township; from the ladies of Charlotte; and from Henderson county; all of which are referred to the committee on Internal Improvements.

Mr. Norment introduces a petition from citizens of Robeson county on the same subject, which was referred to the same committee;

And from the Speaker, a petition of Concord Presbytery, which is similarly referred; and

Mr. Oliver presents a petition from citizens of Robeson county, petitioning for the prohibition of the sale of spirituous liquors within two miles of Pine Grove M. E. Church, South, Lumberton circuit, Robeson county, N. C.; which is referred to the committee on Propositions and Grievances.

LEAVES OF ABSENCE

are granted to Messrs. Taylor and Cooke until Tuesday; to Mr. Burroughs to the same time on account of sickness; and to Mr. Blaisdell indefinitely, on account of sickness in his family.

REPORTS OF COMMITTEES.

Mr. Jones from the committee on Corporations, reports favorably on H. B. 43, a bill to incorporate the Bank of Asheville; on H. B. 110, a bill to establish a public ferry in the counties of Montgomery and Stanly; H. B. 130, a bill to incorporate the Burgaw Male and Female Academy, Pender county; and on H. B. 70, a bill to incorporate the trus-

tees of Center Point Institute, Iredell county, recommending its passage, with the adoption of an accompanying amendment; and on H. B. 162, a bill to incorporate Reedy Patch Methodist church, recommending its reference to the committee on Corporations.

Mr. Holt from the committee on Corporations, reports favorably H. B. 117, a bill to incorporate the Trustees of Macedonia Baptist church, Transylvania county; on H. B. 102, a bill to amend chapter 240, laws of 1874–'75, to prevent discrimination in freight tariffs by railroad companies operating in this State; and on H. B. 128, a bill to incorporate the Kinston Fire Company, No. 1, of the town of Kinston.

Mr. Armstrong from the committee on Propositions and Grievances, reports favorably on H. B. 163, a bill to create a sinking fund.

Mr. Vaughan, from the committee on Railroads, Post Roads, &c., reports H. B. 103, a bill to amend the charter of the Northwestern N. C. R. R. for the construction of a second division from the towns of Salem and Winston, Forsythe county, up the valley of the Yadkin river, by Wilkesboro, to Patterson, Caldwell county, recommending its passage, with the adoption of an accompanying amendment.

Mr. Cooke, from the committee on Judiciary, reports on H. B. 53, a bill for the benefit of jurors of Surry county, recommending the adoption of an accompanying substitute therefor.

Mr. Carson from the committee on Enrolled Bills, reports the following bills to have been correctly enrolled:

An act to reduce and regulate the cost of the Public Printing.

An act to abolish the January term of the Cumberland Superior Court.

A resolution in regard to mileage and *per diem*.

A resolution to raise a joint select committee to inquire into the management of the Western N. C. R. R. and the Western Insane Asylum.

INTRODUCTION OF RESOLUTIONS.

By Mr. Richardson of Wake, a resolution in regard to the jurisdiction of justices of the peace, which is referred to the Committee on the Judiciary.

By Mr. Richardson of Wake, a resolution in regard to public roads, which is referred to the Committee on Railroads, Postroads, &c.

By Mr. Clark, a resolution concerning the posting of the various committees of the House upon bulletin boards; and

By Mr. Norment, a resolution to enquire into the right of A. C. Mears to a seat on this floor; both of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Brown of Mecklenburg, a bill to prevent the desecration of the Sabbath day, which is referred to the Committee on Internal Improvements.

By Mr. Colwell, a bill to prevent the obstruction of Rockfish and other streams in Duplin county, which is referred to the Committee on Propositions and Grievances.

By Mr. Powers, a bill to amend section 3, and to re-enact section 5, chapter 216, of the laws of 1876–'77; and

By Mr. Powers, a bill to amend section 15, chapter 84, Battle's Revisal; both of which are referred to the Committee on the Judiciary.

By Mr. Davis of Catawba, a bill to allow Jonas Cline, late Sheriff of Catawba county, to collect arrears of taxes, which is referred to the Committee on Finance.

By Mr. Atkinson, a bill to change the time of holding the Courts of Buncombe and Madison counties in the Ninth Judicial District, which is referred to the Committee on the Judiciary.

By Mr. Atkinson, a bill in relation to the trial of civil

causes in the Superior Courts of the State, which is referred to the committee on Propositions and Grievances.

Mr. Lockhart moves to suspend the rules and take up H. B. 62, a bill to change the time of holding Superior Courts in the Fourth Judicial District and the motion is carried, and the question recurs on the substitute offered by the Judiciary Committee.

Mr. Holt moves to postpone the bill until Wednesday 12 M., and on a division the motion to postpone prevails by a vote, ayes 50, nays 20.

Mr. Norment moves that the resolution introduced by himself this morning in regard to the sitting member from Brunswick county be taken from the Calendar and referred to the committee on Privileges and Elections. The rules are suspended by a vote of 37 ayes; nays 32, on a division, and the reference ordered, when, Mr. Norment asks a withdrawal of the reference and put the resolution on its adoption.

Mr. Richardson of Columbus, moves to make it the special order for Monday next at 12 M., which motion, on a division, prevails.

The Calendar is resumed.

H. B. 14, a bill to amend sections 4 and 9, chapter 37, Battle's Revisal, is taken up.

The question recurs on the passage of the bill.

Mr. Carter of Buncombe, moves to print.

Mr. Brown of Mecklenburg, moves to make it the special order for Wednesday at 1 P. M., and print, which motion carries.

Mr. Holt moves to reconsider the vote by which H. B. 62, a bill to change the time of holding Superior Courts in the 4th Judicial District, was made special order for Wednesday next. The reconsideration is had, when Mr. Holt offers an amendment, which reads as follows:

"Moore to commence the 1st Monday in February and August; Harnett 3rd Monday in February and August;

Cumberland 1st Monday after the 4th Monday in February and August; Johnston 5th Monday after the 4th Monday in February and August; Bladen 7th Monday after the 4th Monday in February and August; Brunswick 8th Monday after the 4th Monday in February and August; Columbus 9th Monday after the 4th Monday in February and August; Robeson 10th Monday after the 4th Monday in February and August; Richmond 12th Monday after the 4th Monday in February and August; Anson 14th Monday after the 4th Monday in February and August.

SEC. 2. All process original meme, or final."

Mr. Richardson of Columbus, renews the motion to postpone until Wednesday, which is lost on a division by a vote of ayes 32; nays 44.

Mr. Blocker moves to amend the amendment by saying, "All executions returnable to Spring Term of Moore, Johnston and Cumberland counties shall be returned to the Fall Term and the Sheriffs shall not be amerced for failure to make such returns," which is accepted by Mr. Holt, and the amendment as amended is adopted.

The question recurs on the bill as amended on its third reading and it passes and is ordered to be engrossed and sent to the Senate for concurrence.

A message is received from the Senate announcing the passage by that body of a resolution in regard to Public Documents, transmitting the same and asking concurrence therein.

Under a suspension of the rules, the resolution is taken up, passed its second reading and on motion of Mr. Jones, is referred to the committee on Printing.

On motion of Mr. Scott, H. B. 7, a bill to define the jurisdiction of justices of the peace, is taken up, passes its second and third readings, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Foard, S. R. 108, H. R. 52, a resolution to pay Senators Everett and Waddell for services rendered

on the State Board of Canvassers, is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

A message is received from the Senate transmitting S. B. 40, a bill to empower the foreman of grand juries to administer oaths and affirmations; and S. B. 16, a bill providing for the exemption of certain personal property from sale under execution; both of which are referred to the Committee on the Judiciary.

Mr. Brown of Mecklenburg, moves to suspend the rules to take up H. B. 42, a bill to extend the Raleigh and Augusta Air-Line R. R. from any point on its line to any point in or near the City of Charlotte, to put it on its several readings, when,

Mr. Lockhart moves to make the bill special order for Wednesday, January 22, which motion prevails.

On motion of Mr. Reid of Macon, H. B. 55, a bill for the relief of the tax collector of Macon County, is taken up, and passes its second reading. Under a suspension of the rules the bill came up on its third reading.

On motion of Mr. Anderson the tax collector of Clay county is included.

Mr. Leatherwood moves to amend by inserting the names of L. P. Brown, of Jackson County, for 1876, and John Davis, for 1877; and pending a definite result the whole matter is, on motion of Mr. Brown of Madison, referred to the committee on Finance.

On motion of Mr. Ewing, the rules are suspended and H. B. 40, a bill to establish a public ferry in Montgomery and Stanly counties, is taken up and passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On the motion of Mr. Anderson H. B. 19, a bill for the punishment of the crime of incest is taken up.

The question recurs on the substitute, which is adopted and the bill passes its second and third readings, and is

ordered to be engrossed and be transmitted to the Senate for concurrence.

The chair here announced the committee to investigate the management of the Western N. C. R. R. and Western Insane Asylum to consist of Messrs. Berry and Cobb.

Mr. Vaughan moves to suspend the rules to take up H. B. 19, a bill to amend the charter of the Mount Airy R. R. and provide for the building of a railroad from Greensboro,' Guilford County, to Ore Knob, Ashe County, when,

On motion of Mr. Jones, the House adjourns until Monday at 10 A. M.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday Jan. 20, 1879.

The House meets at 10 o'clock and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Marshall, of the city.

The reading of the Journal is begun, but on motion, the reading is suspended and it stands as approved.

INTRODUCTION OF MEMORIALS.

By Mr. Johnson, a memorial in relation to the running of trains on railroads on the Sabbath day, which is referred to the committee on Internal Improvements; and subsequently by consent,

By Mr. Cobb, a memorial from citizens living near Jugtown in Lincoln county asking for the prohibition of the sale of liquor near the Methodist church, which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the committee on Finance, reported unfavorably on H. B. 84, a bill in regard to commercial tourists and agents; on H. B. 126, a bill to regulate official bonds of sheriffs; on H. B. 99, a bill authorizing the tax collector of Cherokee county to collect the unpaid taxes of said county for the year 1876–'7, recommending the adoption of an accompanying substitute therefor; and favorably on H. B. 157, a bill to repeal sections 5 and and 6, chapter 2, Battle's Revisal.

Mr. Lockhart, from the committee on Propositions and Grievances, reported favorably on H. B. 159, a bill to amend section 1, chapter 104, laws of 1873–'4, in relation to seining and shooting mountain trout; and unfavorably on H. R. 55, a resolution in regard to the general industrial depression; on H. B. 160, a bill to compel railroad companies to provide footway across their bridges; and recommending the adoption of an accompanying substitute for H. B. 121, a bill to amend chapter 48, Battle's Revisal.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolutions to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 173, a bill to be entitled an act to extend the time to redeem land sold for taxes, and bought by the State.

H. B. 62, a bill to be entitled an act to change the time of holding the Superior Courts of the 4th judicial district.

H. R. 19, resolution for a conference with the South Carolina Legislature to remove obstructions from the Yadkin and other streams for the free passage of fish.

H. R. 68, resolution to print report of Commissioner of Agriculture.

INTRODUCTION OF BILLS.

The following bills are introduced and appropriately referred :

By Mr. Berry, a bill to secure the better drainage of the low-lands and bottoms of Silver Creek in Burke county ; which is referred to the committee on Propositions and Grievances ;

By Mr. Vaughan, a bill to amend chapter 32, Battle's Revisal, entitled Crimes and Punishments ;

By Mr. Reid, of Macon, a bill to establish a State line between the county of Macon, N. C. and the county of Rabun, Ga.;

By Mr. Foster, a bill to amend chapter 104, laws of 1876–'77 ;

By Mr. Brown of Mecklenburg, a bill declaratory of an act in relation to probate of deeds and the privy examination of married women ; all of which are referred to the committee on the Judiciary.

By Mr. Turner, a bill to repeal an act known as H. B. 422 ; which is referred to the committee on Privileges and Elections ;

By Mr. Scott, a bill to incorporate Germania Lodge, No. 4, K. of P.; which is referred to the committee on Corporations ; and

By Mr. Dimsdale, a bill to allow sheriffs and tax collectors to collect arrears of taxes for the years 1875–'76–'77–'78, which is referred to the committee on Finance.

THE UNFINISHED BUSINESS

of Saturday, which was

H. B. 119, a bill to amend the charter of the Mount Airy R. R., &c., is announced ; but gives way for the report of Mr. Lockhart from the committee on the Judiciary who reports unfavorably on

H. B. 121, a bill to amend chapter 48 Battle's Revisal, but recommends the adoption of a substitute proposed by the committee; and unfavorably on

H. B. 160, a bill to compel railroad companies to provide foot-ways across their bridges; and favorably on

H. B. 159, a bill to amend section 1, chapter 104 of public laws of 1873–'74, in relation to seining and shooting mountain trout; and unfavorably on

H. R. 55, a resolution looking to the relief of the industrial interests.

THE MORNING HOUR

having expired, Mr. Barringer is announced as detained from his seat in the House to-day by sickness.

By consent, Mr. Amis introduces a resolution in relation to printing the report of the Commissioner of Agriculture; and the rules being suspended the resolution is put on its passage and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Consideration of H. B. 119 is resumed.

Mr. Foard submits the following amendment, which is accepted:

In section 1, line 18, after word "Mount Airy in Surry county" to insert the words, "to touch the Yadkin River at or above Bean Shoals."

Mr. Carter, of Buncombe moves to refer the bill to the committee on Internal Improvements with an order to print, both of which orders are made, and the bill is then put on its second reading and passes by the following vote:

Ayes.—Messrs. Amis, Ardrey, Atkinson, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce,

Bryson, Buchan, Cale, Carter, of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, English, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lowrie, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Turner, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young—88.

Nays—Mr. Christmas—1.

On motion of Mr. York,

H. B. 103, a bill to amend the charter of the Northwestern North Carolina Railroad N. C. R. R. for the construction of a second division from Winston, Forsythe county, up the Yadkin Valley by Wilkesboro to Patterson, in Caldwell county, is taken up for consideration.

The question is for the amendment suggested by the committee and it is adopted, and as amended, the bill passes its second reading; and then on motion of Mr. York, is referred to the committee on Internal Improvements, with order to be printed, and it is so ordered by the House.

By consent, Mr. Ellison introduces a resolution of instruction to the committee on Penal Institutions, which is placed on the Calendar.

By consent, Mr. Atkinson introduces a bill to amend section 20, chapter 272, laws of 1876-'77, which is referred to the committee on Military Affairs.

By consent, Mr. Richardson from the committee on Finance, reports

H. B. 99, a bill to authorize the tax collector of Cherokee county to collect unpaid taxes of said county for the year

1876–'77, with a substitute and with the recommendation that the bill so substituted do pass.

By consent, Mr. Jones from the committee on Corporations reports favorably on

H. B. 111, a bill to incorporate the Warm Springs Toll Bridge Company.

By consent, Mr. Jones introduces a bill to incorporate the Warrior Camp Ground, Caldwell county; and a bill to incorporate the Love and Charity Society of Wilson's Creek Academy in the county of Caldwell; both of which are referred to the committee on Corporations; and by consent,

Mr. Scott introduces a bill to exempt firemen from poll tax; which is referred to the committee on Propositions and Grievances; and a bill to amend chapter 239, laws of 1874–'75, which is referred to the committee on the Judiciary.

H. B. 114, a bill to prevent the enticing of seamen from vessels is before the House.

Mr. Norment asked delay until authorities, sent for, reached him.

Mr. Anderson moves to postpone the business before the House for twenty minutes to go on with the Calendar.

By consent, Mr. Foy introduces a bill to keep public roads in Jones county in good order; which is referred to the committee on Railroads, Postroads, &c.

On motion of Mr. Ardrey,

H. B. 105, a bill to amend chapter 83, private laws of 1876–'77, is put on its several readings, and passes, and is ordered to be sent to the Senate for concurrence.

On motion of Mr. Reid of Macon,

H. B. 111, a bill to incorporate the Warm Springs Toll Bridge Company is put on its second reading, and passes its second reading.

The consideration of H. B. 119 is resumed.

Mr. Bernard moves to refer the bill to the committee on

the Judiciary, and on the question of reference no quorum votes. The question is again put, and reference is ordered.

Mr. Scott moves to take up

H. B. 188, a bill to incorporate Germania Lodge No. 4 K. of P. which, on motion of Mr. Vaughan, is referred to the committee on Corporations.

Mr. Christmas moves to take up

H. B. 39, a bill for the better protection of persons unjustly imprisoned; and on a division, the House refuses to suspend the rules.

The Speaker announced that the hour for

THE SPECIAL ORDER,

being H. R. 60, a resolution of inquiry into the right of A. C. Meares, sitting member from the county of Brunswick to a seat in this House, has arrived.

The resolution is put on its passage and is adopted.

On motion of Mr. Richardson of Columbus, the Calendar is placed at the disposition of the Speaker.

THE CALENDAR.

H. B. 20, a bill concerning the caption of bills and resolutions is put on its third reading and passes.

H. B. 34, a bill to amend section 1, chapter 14, laws of 1874–'5, is put on its several readings and passes;

H. B. 99, a bill to authorize the tax collector of Cherokee county to collect the unpaid taxes of said county for the year 1876–'7 is put on its readings.

The question is on the substitute offered by the committee, which is adopted, and the bill so substituted passes its several readings.

H. B. 73, a bill to amend chapter 67, private laws of 1876–'7, is put on its readings, and as amended by the committee, passes its second reading; and on going to its third

reading, Messrs. Davis of Haywood, Leatherwood and Foster, offers amendments embracing their respective counties. The amendments are all accepted, and the bill so amended passes its third reading.

H. B. 106, a bill to amend chapter 83, private laws of 1876–'7 is put on its readings.

Mr. Vaughan moves to amend in section 2d by adding "or the disbursing officer." The amendment is accepted, and the bill so amended, passes its several readings.

H. B. 91, a bill to amend sub-section 9, section 33 Code of Civil Procedure, is put on its several readings, and passes;

And all of these are ordered to be engrossed and sent to the Senate for concurrence.

Senate Resolution 21, a resolution in favor of Judge David Schenck, is put on its several readings and passes, and is ordered to be enrolled for ratification.

H. B. 71, a bill for the relief of prisoners confined in the common jails in the State, is, on motion of Mr. McCorkle, referred to the committee on Penal Institutions.

H. B. 83, a bill to repeal chapter 29, laws of 1876–'77, is, on motion of Mr. Clarke, referred to the committee on the Judiciary.

H. B. 76, a bill to protect the honest trades and professions from impositions and frauds, is, on motion, referred to the committee on Propositions and Grievances.

H. B. 68, a bill to extend the time of collecting debts made before the adoption of the Constitution of 1868, known as "old debts," is taken up.

Mr. Lutterloh calls the ayes and nays; the call is not sustained, and, on motion of Mr. Brown of Mecklenburg, the bill is laid on the table.

The following bills taken up for action are also laid on the table:

H. B. 38, a bill to repeal chapter 141, laws of 1876–'77, on motion of Mr. Vaughan;

H. B. 69, a bill to give the people of Polk county free

privilege to fish in the creeks and rivers of said county, &c., on motion of Mr. York;

H. B. 77, a bill to amend section 4, chapter 37 of Battle's Revisal, on motion of Mr. Bernard;

H. B. 39, a bill to provide compensation for persons wrongfully imprisoned, on motion of Mr. Bizzell;

H. B. 82, a bill to amend chapter 101, laws of 1876–'77, on motion of Mr. Davis of Haywood;

H. B. 85, a bill to repeal an act, entitled "An act allowing county commissioners and others to hire out convicts," on motion of Mr. Clarke;

H. B. 81, a bill to protect sheep and tax dogs, on motion of Mr. Amis;

H. B. 92, a bill to amend chapter 38, laws of 1876–'77, on motion of Mr. Norment; and

H. B. 97, a bill to allow the sheriff of Watauga county to collect arrears of taxes, on motion of Mr. Council.

H. B. 96, a bill to prevent tramps from infesting or depredating on citizens of this State, is taken up on its several readings.

Mr. Orchard moves a reference to the committee on the Judiciary. Mr. Atkinson offers an amendment to go with the bill to the committee; and the reference is ordered.

By consent, Mr. Cale introduces a bill to render jurors who have cases, on the civil or criminal docket competent to serve on the jury; which is referred to the committee on the Judiciary.

Mr. Speaker announces the ratification of sundry enrolled bills; and, on motion, the House adjourns until tomorrow morning at 10 o'clock.

TWELFTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Jan. 21, 1879.

The House meets this morning at 10 o'clock, Mr. Speaker Moring in the chair, and is opened with prayer by the Rev. W. C. Norman of the city.

The reading of the Journal is dispensed with, and it stands as approved.

INTRODUCTION OF MEMORIALS AND PETITIONS.

The following are presented and appropriately referred:

By Mr. Brown of Mecklenburg, a petition from citizens of Davidson College in regard to the desecration of the Sabbath Day by Rail Road Companies;

By Mr. Orchard, a memorial from citizens of Cabarrus county on the same subject;

By Mr. Orchard, another memorial from citizens of the same county on the same subject;

By Mr. Click, memorial from citizens of Iredell county, on the same subject; and

By Mr. Huffstetler, a memorial from citizens of South Point and Cherryville townships, Gaston county, on the same subject;

All of which are referred to the committee on Internal Improvements.

By Mr. Paxton, a petition from sundry citizens of Transylvania county, Little River township, to prohibit the sale of intoxicating liquors within three miles of said church; and

By Mr. Buchan, a petition from citizens of Wayne, Duplin, Lenoir and Greene counties, in regard to shad fishing in Neuse river; both of which are referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Brown of Mecklenburg, from the committee on Internal Improvements, reports on H. B. 139, a bill to change the name and authorize the consolidation of the Western R. R. Company, with the Fayetteville and Florence R. R. Company, and the Mount Airy R. R. Company, and to complete the same, recommending the adoption of an accompanying substitute, that it pass its second reading, be printed, and referred back to the committee on Internal Improvements.

Mr. Leatherwood from the committee on Rail Roads, Post Roads, &c., reports favorably on H. B. 158, a bill to amend chapter 104 of Battle's Revisal and regulate the manner of laying out public roads.

Mr. Bernard from the committee on Counties, Cities, Towns and Townships, reports unfavorably on H. B. 141, a bill to amend an act to establish county governments; and on H. B. 161, a bill to exempt the citizens of Stanly county from the provisions of chapter 141, laws 1876–'77.

Mr. Vaughan from the committee on Rail Roads, Post Roads, &c., reports unfavorably on H. B. 131, a bill to repeal chapter 65, laws 1876–'77, in regard to road exemptions in Clay county; and H. B. 142, a bill to amend section 12, chapter 104 of Battle's Revisal.

Mr. English, from the committee on Penal Institutions, reports unfavorably on H. B. 94, a bill for the protection of the people from the depredations of discharged convicts; and favorably on H. B. 71, a bill to provide for the relief of prisoners confined in the common jails of this State; and on H. B. 95, a bill allowing the commissioners of Craven county to work persons sentenced to the Penitentiary for one year on county works, recommending its reference to the committee on Internal Improvements.

Mr. Carter, from the committee on the Judiciary, reports unfavorably on H. B. 140, a bill to allow Madison township,

Rockingham county, to subscribe to a railroad; on H. B. 107, a bill to amend chapter 88, private laws 1874–'75, recommending that the bill pass its second reading, be printed and re-referred to this committee; and on H. B. 35, a bill to amend the act aiding the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow Gauge Railroads, recommending that it pass its second reading, be printed and re-referred to this committee.

Mr. Jones, from the committee on Corporations, reports favorably on H. B. 197, a bill to incorporate Love and Charity Society of Wilson Creek Academy, Caldwell county; on H. B. 195, a bill to incorporate the Warrior Camp Ground, Caldwell county; and on H. B. 188, a bill to incorporate Germania Lodge No. 4, K. of P., Wilmington, recommending its passage with the adoption of an accompanying amendment.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 7, a bill to be entitled an act to define the jurisdiction of justices of the peace;

H. B. 110, a bill to be entitled an act to establish a Public Ferry in the counties of Montgomery and Stanly;

H. B. 19, a bill to be entitled an act for the punishment of the crime of incest.

Mr. Carson from the committee on Enrolled Bills reports the following bills to have been correctly enrolled, viz:

A joint resolution referring to a select committee on His Excellency's Message referring to public roads, &c.

A resolution to take into consideration the fish interest of North Carolina.

A resolution in favor of Judge David Schenck.

And they are duly ratified by the Speaker of this House.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and referred to the committee on Propositions and Grievances:

By Mr. Turner, a resolution to investigate and punish the Ring:

By Mr. Turner, a resolution showing how the money goes:

By Mr. Turner, a resoluton calling for the report of a special committee;

By Mr. Turner, a resolution to investigate and punish the Ring;

By Mr. Turner, a resolution calling for the exposure and indictment of Ring men;

By Mr. Turner, a resolution to expose and let in light on the Ring; and

By Mr. Amis, a resolution in regard to lunatics and cripples.

The following are placed on the Calendar:

By Mr. Foy, a resolution concerning old debts; and

By Mr. Holt, a resolution in regard to purchasing maps for the use of the Legislature.

By Mr. Amis, a resolution in regard to sale and division of land, which is referred to the committee on the Judiciary.

By Mr. Wheeler, a resolution of instruction to the joint committee on Public Roads, which is referred to the committee on Railroads, Postroads, &c.

By Mr. Christmas, a resolution for the provision of a garden for the Institution for the Deaf and Dumb and the Blind, which is referred to the committee on the Deaf and Dumb and the Blind Asylum.

INTRODUCTION OF BILLS.

The following bills are introduced and are referred to the committee on Propositions and Grievances:

By Mr. Coffield, a bill to amend chapter 38, private laws of 1873–'74;

By Mr. Hobbs, a bill concerning public officers.

By Mr. Ewing, a bill to prohibit the sale of spirituous liquors within three miles of Melton's Grove church, Montgomery county;

By Mr. Carter, of Warren, a bill in relation to public cotton gins;

By Mr. Harrell, a bill to protect fish in the Yadkin and Catawba rivers;

By Mr. Ewing, a bill to amend chapter 137, section 1, laws of 1873–'74; and

By Mr. Davis, of Haywood, a bill to prevent the felling of trees in Jonathan's Creek, Haywood county.

The following bills are referred to the committee on the Judiciary:

By Mr. Reid of Macon, a bill to list taxable property in any county in the township where the owner or his agent lives; and

By Mr. Scott, a bill to extend the jurisdiction of justices of the peace.

The following bills are assigned to the Calendar:

By Mr. Brown, of Yadkin, a bill for the relief of S. C. Welsh, sheriff of Yadkin county, allowing him to collect arrears of taxes for the years of 1876–'77;

By Mr. Bingham, a bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds; and

By Mr. Huffstetler, a bill to amend chapter 25, Battle's Revisal, providing compensation for jurors summoned to hold inquest.

The following bills are introduced and referred to the committee on Corporations:

By Mr. Carson, a bill to incorporate the town of Taylorsville, Alexander county;

By Mr. Angier, a bill to incorporate the State University Railroad Company;

By Mr. McCorkle, a bill to amend the charter of the town of Mooresville, Iredell county;

By Mr. Lowry, a bill respecting the collection of railroad tax in Forsythe county; and

By Mr. Davis, of Madison, a bill in favor of Madison county; both of which are referred to the committee on Finance.

On motion of Mr. York, the Calendar is placed at the disposal of the Speaker, and

THE CALENDAR

is taken up.

H. B. 43, a bill to charter the bank of Asheville, on motion of Mr. Carter of Buncombe, is read and put on its second reading and passed; and then on motion of the same gentleman, it is ordered to be printed and referred to the committee on Banks and Currency.

H. B. 64, a bill to amend Battle's Revisal, chapter 105, entitled "salaries and fees," is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 66, a bill to amend the Code of Civil Procedure, is, on motion of Mr. Bernard, laid on the table.

H. B. 70, a bill to incorporate the trustees of Centre Point Institute, Iredell county, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Jones, a message is sent to the Senate, informing that body that at 12 o'clock, M., the House would proceed to the election of a United States Senator for the term beginning March 4th, 1879, and ending March 4th, 1885.

The Calendar is resumed, and

H. B. 84, a bill concerning commercial tourists and agents is taken up, and the substitute offered by the committee

read; and on motion, both bill and substitute are laid on the table.

H. B. 98, a bill to amend section 1, chapter 266, laws of 1876–'77, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 102, a bill to amend chapter 240, laws of 1874–'75, of an act, entitled "An act to prevent discriminations in freight tariffs by railroad companies operating in this State," is taken up read on its second reading. An amendment, offered by Mr. Blocker, to add the word "steamboats," is accepted; and, on motion of Mr. Armstrong, the bill is referred to the committee on Propositions and Grievances, with order to print.

H. B. 35, a bill to amend an act to aid in the construction of the Chester and Lenoir, and Caldwell and Watauga Narrow Gauge Railroads, is put on its readings, and passes its second reading; and then, on motion of Mr. Brown of Mecklenburg, is recommitted to the committee on Internal Improvements, with order to print.

H. B. 137, a bill to amend chapter 88, private laws of 1874–'75, an act to incorporate the Fayetteville and Goldsboro Railroad Company, also passes its second reading, and, on motion of Mr. Carter of Buncombe, is recommitted to the committee on Internal Improvements, with order to print.

H. B. 139, a bill to change the name and authorize the consolidation of the Western Railroad Company with the Fayetteville and Florence Railroad Company and Mount Airy Railroad Company, is taken up. The substitute submitted by the committee is adopted; and, on motion of Mr. Lockhart, the bill so substituted is recommitted to the committee on Internal Improvements.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate had

concurred in the proposition to go into the election of a United States Senator for the term beginning March 4th, 1879, at 12 o'clock M.

THE CALENDAR IS RESUMED.

H. B. 104, a bill in reference to sheriffs, superior court clerks and registers of deeds, is put on its second reading, and passes; and, going to a third reading, Mr. York offers the following amendment: Add, "or which may be due them," which is adopted; and, on motion of Mr. Cobb, the bill is referred to the committee on the Judiciary.

H. B. 113, a bill to allow the citizens of Chowan county to fish in the waters of said county without paying any tax, is, on motion of Mr. York, laid on the table.

A message is received from the Senate, transmitting the following bills and resolution:

S. B. 29, a bill to prevent the stealing of dead bodies;

S. B. 23, a bill for draining and damming low lands;

S. B. 7, a bill to amend section 1, chapter 196, laws of 1876-'77.

S. B. 119, a bill for the relief of Benj. T. Bullock, late sheriff of Granville county.

S. B. 39, a bill in relation to judgments on appeals from justices of the peace;

S. B. 70, a bill to amend an act, entitled "An act to allow the Milton township, in the county of Caswell, to subscribe fifteen thousand dollars in payment of stock in the Milton and Sutherlin Narrow Gauge Railroad Company, and for other purposes;" and

S. R. 142, a resolution concerning the State Debt.

They are read the first time in this House, and referred as follows:

S. B. 29, to the committee on Propositions and Grievances;

S. B. 23, to the committee on Internal Improvements;

S. B. 119, to the committee on Finance;

S. B. 70, to the committee on Cities, Towns, &c.;

S. B. 7, and S. B. 39, to the committee on the Judiciary; and

S. R. 142, to the committee on State Debt and Liabilities.

A message is received from His Excellency, the Governor, covering a memorial on the subject of the State Debt.

On motion of Mr. Cobb, the reading is dispensed with, and it is ordered to be transmitted to the Senate with a proposition to print.

THE CALENDAR

was resumed, and

H. B. 117, a bill to incorporate the Macedonia Baptist Church of Transylvania county, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

ELECTION OF UNITED STATES SENATOR.

The hour of 12 having arrived, the Speaker announces that the House will now proceed to the election of a Senator to the Senate of the United States for the term beginning on the 4th of March, 1879, and ending March 4th, 1885, and that nominations are now in order.

Mr. Cooke nominates Zebulon B. Vance.

Mr. Norment nominates Ralph P. Buxton.

Mr. Davis of Catawba, seconds the nomination of Z. B. Vance.

The Speaker appoints Messrs. Cooke and Norment to superintend the election, and the House votes as follows:

ELECTION OF U. S. SENATOR.

For Mr. Vance—Mr. Speaker, Messrs. Amis, Anderson, An-

gier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—77.

For Mr. Buxton—Messrs. Bateman, Battle, Bingham, Bird, Blaisdell, Blocker, Brown of Yadkin, Bruce, Cale, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Horton, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne—39.

For Mr. Merrimon.—Mr. Harrison—1.

For Mr. Ashe.—Mr. Turner—1.

And the tellers report that 118 votes are cast; of which Zebulon B. Vance receives 77 votes; Ralph P. Buxton 39 votes; A. S. Merrimon 1 vote and Thomas S. Ashe 1 vote.

During the progress of the vote, Mr. Ewing is allowed to explain his vote. He had been pledged to vote for Z. B. Vance if there had been contest between him and Mr. Merrimon. There being none he would vote for Mr. Buxton, the nominee of his party.

Mr. Reynolds is allowed to explain his vote. He had intended to vote for Z. B. Vance if his vote was necessary to secure his election. That not being now the case, he would vote for R. P. Buxton, the nominee of his party.

Mr. Turner proceeded to explain his vote. Mr. Foard called him to order for departing from the topic of explana-

tion. The Speaker ruled that the point of order was well taken, and called Mr. Turner to order. Mr. Turner appealed from the decision of the Chair. The House sustained the Chair, and the name of Mr. Turner being called, he voted for Thomas S. Ashe.

And on motion of Mr. Coffield, the House adjourned until to-morrow morning at 10 o'clock.

TENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, January 22, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring.

The reading of the Journal is dispensed with, and it stands as approved.

INTRODUCTION OF MEMORIALS, &C.

By Mr. Osborne, a petition from citizens of Goose Creek Island, Pamlico county, asking that Goose Creek Island be annexed to Beaufort county; which is referred to the committee on Cities, Towns, Townships and Counties;

By Mr. Richardson of Columbus, a petition of sundry citizens of Bladen county, asking for the prohibition of the sale of spirituous liquors within one mile of Trinity Methodist church in Bladen county; and

By Mr. Bird, a petition asking the prohibition of the sale of spirituous liquors within two miles of Clear Creek Academy; both of which are referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on H. B. 21, a bill to authorize the election of township constable.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on H. B. 130, a bill to prevent the felling of timber and brush in the main run of Swift Creek, from Lewis' bridge, Edgecombe county, to Whitaker's bridge, Nash county; on S. B. 149, H. B. 172, a bill for the relief of the sureties of J. M. Monger, of Moore county; and on H. B. 120, a bill to indemnify the county of Mitchell, recommending its reference to the Finance Committee; and unfavorably on H. B. 133, a bill to secure the better drainage of the lowlands of Fourth Creek between Baker's Mills, Rowan county, and Hayne Davis' Mill, Iredell county; on H. B. 202, a bill concerning public officers; on H. B. 76, a bill to protect honest trades and professions from impositions and frauds; on H. B. 180, a bill in relation to the trial of civil cases in the superior courts of the State; on H. B. 193, a bill to exempt firemen from payment of poll-tax.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on S. B. 9, H. B. 74, a bill for the relief of F. J. Satchwell, Sheriff of Beaufort county; and on H. B. 212, a bill respecting the collection of railroad taxes, recommending its reference to the committee on the Judiciary.

Mr. Covington, from the committee on Privileges and Elections, reports on H. B. 189, a bill to repeal H. B. 422, ratified the 22nd day of March, 1875, recommending its reference to the committee on Propositions and Grievances.

Mr. Cooke from the committee on the Judiciary, reports favorably on H. B. 148, a bill for the more speedy trial of criminals; on H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State; on H. B. 89,

a bill to alter the Constitution of North Carolina in relation to punishments, recommending its passage with an inclosed amendment; and unfavorably on H. B. 27, a bill to allow the Sheriff of Hertford county to collect arrears of taxes; on H. B. 150, a bill to prevent the wanton fighting of game cocks and to prevent betting; on H. B. 147, a bill to provide for a re-assessment of damages when a mill dam is raised, causing other lands to be flooded; and on H. B. 155, a bill to repeal chapter 61, section 1, laws of 1872–'73.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports on H. B. 174, a bill to prevent the desecration of the Sabbath day, recommending its passage after the adoption of an accompanying proviso.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 53, a bill to be entitled an act for the benefit of jurors in Alleghany, Surry, Haywood, Jackson, and Ashe counties;

H. B. 91, a bill to be entitled an act to amend sub-section 9, section 33, Code of Civil Procedure;

H. B. 73, a bill to be entitled an act to amend chapter 67, laws of 1876–'77;

H. B. 34, a bill to be entitled an act to amend section 1, chapter 14, laws of 1874–'75;

H. B. 20, a bill to be entitled an act concerning captions of bills and resolutions;

H. B. 105, a bill to be entitled an act to amend chapter 83, private laws of 1876–'77;

H. B. 200, a bill to be entitled an act to amend chapter 36, laws of 1876–'77;

H. B. 106, a bill to be entitled an act to amend sections 8 and 10, chapter 30, Battle's Revisal, relating to the duties of county treasurers.

INTRODUCTION OF RESOLUTIONS.

By Mr. Hewett, a resolution asking our representatives in Congress to secure an appropriation of $20,000 to open White Oak river, and establish a port of entry at Swansboro, Onslow county, which is referred to the committee on Internal Improvements.

By Mr. Cary, a resolution in regard to the jailers in this State, which is referred to the committee on Finance.

By Mr. Amis, a resolution in regard to the employees about the penitentiary, which is referred to the committee on Penal Institutions.

By Mr. Amis, a resolution in regard to sheep husbandry, which is referred to the committee on Agriculture, &c.

By Mr. Turner, a resolution concerning fraud upon the ballot-box.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Meares, a bill to amend section 20, chapter 98, Battle's Revisal;

By Mr. Meares, a bill to provide for the repairing of the quarantine hospital at Smithville;

By Mr. Foster, a bill to prevent the felling of timber in North and South forks of New River, Ashe county;

By Mr. Council, a bill to change the line between the counties of Ashe and Watauga;

By Mr. Anderson, a bill to amend chapter 65, sub-division 18, line 5, &c.;

By Mr. Turner, a bill for the relief of the blind;

By Mr. Christmas, a bill for the relief of persons wrongfully imprisoned; and

By Mr. Bird, a bill to prohibit the sale of spirituous liquors within two miles of Clear Creek Academy.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Blocker, a bill to amend the Constitution of North Carolina article 11, section 3;

By Mr. Ardrey, a bill to confer upon the Inferior Court of Mecklenburg county civil jurisdiction in certain cases;

By Mr. Powers, a bill to amend section 1, chapter 283, laws of 1876–'7:

By Mr. Ellison, a bill to give certain persons the right of inheritance;

By Mr. Lutterloh, a bill to amend section 5, article V., Constitution of North Carolina;

By Mr. Carson, a bill to amend sections 2, 4 and 5, private laws of 1876–'7;

By Mr. Clarke, a bill to amend section 1, chapter 283, laws of 1876–'7, known as the "Landlord and Tenant" act; and

By Mr. Paxton, a bill to reduce the number of grand jurors to 12 in all the courts.

By Mr. Colwell, a bill to regulate insurance in this State, which is referred to the committee on Insurance.

By Mr. McCorkle, a bill for the benefit of the Winston, Salem and Mooresville R. R. Co., which is referred to the committee on Internal Improvements.

The Speaker causes the announcement of a change in the committee to investigate the affairs of the W. N. C. R. R., &c. Mr. Berry being substituted by Mr. Davis of Catawba.

On motion of Mr. York, the Calendar is placed at the disposal of the Speaker; and

THE CALENDAR

was taken up.

S. R. 81, a resolution of instruction to the Joint Commit-

tee on Public Printing, on motion of Mr. Vaughan was laid on the table.

S. R. 67, a resolution to require the State Geologist to make a report, is, on motion of Mr. Foard, referred to the committee on Agriculture.

S. R. 123, a resolution to raise a Joint Committee on Federal relations is put on its adoption and passes, and is ordered to be enrolled for ratification.

H. R. 7, a resolution concerning the election law, is, on motion of Mr. York, referred to the committee on Privileges and Elections; and

H. R. 13, a resolution in favor of practical reform, is, on motion of Mr. Richardson of Columbus, referred to the committee on Salaries and Fees.

Mr. Clarke, by consent, makes a minority report on House bills 164 and 89.

A MESSAGE FROM THE SENATE

is received transmitting

S. B. 92, a bill to amend chapter 219, laws of 1876–'7, an act to protect deer in Stokes, Forsythe, Surry, &c., which is read the first time in this House, and referred to the committee on Propositions and Grievances.

THE CALENDAR

is resumed, and

H. R. 69, resolution of instruction to the committee on Penal Institutions, is, on motion of Mr. Atkinson, referred to the committee on Retrenchment and Reform.

H. B. 131, a bill to repeal chapter 65, laws of 1876–'77, entitled an act for the removal of road exemptions in Clay county, is put on its second reading.

Mr. Vaughan moves that the consideration of the bill be postponed until Tuesday, January 28th, and that it be made

the special order for 12 o'clock M, of that day; and on a division, the motion prevailed.

S. B. 149, a bill for the relief of the sureties of J. M. Monger, late sheriff of Moore county, is put on its several readings, and passes, and is ordered to be enrolled for ratification.

H. B. 71, a bill for the relief of prisoners confined in the common jails of this State, is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 94, a bill for the protection of the people from the depredations of discharged convicts is, on motion of Mr. Holt, laid on the table.

H. B. 183, a bill for the better drainage of the low bottoms and lands of Silver Creek in Burke county, after discussion, is, on motion, referred to the committee on Corporations.

H. B. 95, a bill to allow the county commissioners of Craven county to work persons sentenced to the penitentiary for one year on county work, is, on motion of Mr. Clarke, referred to the committee on Internal Improvements.

At 20 minutes before 12 o'clock, the Speaker announces that the business of the House will be informally suspended to prepare for the reception of the Senate in joint session at 12 o'clock to declare the result of the election had yesterday for a United States Senator.

JOINT SESSION.

At 12 o'clock, the Senate approaches, preceded by their President and officers, the House rises to receive them. The Joint Assembly being called to order by Mr. Jarvis, President of the Senate, proceeds to compare the reports made to the two Houses of the election of the preceding day.

The Secretary of the Senate reads so much of the Journal of the Senate as relates to said election.

The Clerk of the House reads so much of the Journal of

the House as relates to the same; and then Mr. Speaker Moring makes the following declaration:

Senators and Members of the House of Representatives:

It appearing from the Journals of the General Assembly of the State of North Carolina that the two Houses composing the same, did, on Tuesday, the twenty first day of January, A. D. 1879, in conformity with law, proceed to elect a Senator to represent the State in the Congress of the United States, for the term commencing on the fourth day of March, A. D. 1879, and ending on the fourth day of March, 1885; and it also appearing from the said Journals that the Hon. Zebulon Baird Vance, did, in said election, receive a majority of all the votes cast in each House of said General Assembly; we, Thomas J. Jarvis, President of the Senate, and John M. Moring, Speaker of the House of Representives, do therefore declare that the said Zebulon Baird Vance is duly elected Senator as aforesaid to represent the State of North Carolina in the Congress of the United States.

(Signed,) THOMAS J. JARVIS,
President of the Senate.
JOHN M. MORING,
Speaker of the House.

And the Joint Sessions then adjourned.

The House is again called to order, and the Calendar is resumed.

H. B. 118, a bill to regulate the equalization of taxes in Henderson county, on motion of Mr. Jones, is laid on the table.

H. B. 121, a bill to amend section 1, chapter 48 of Battle's Revisal, is put on its several readings, and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

A MESSAGE FROM THE SENATE

is received informing the House that the Senate refuses to concur in the proposition of the House to print the memorial from the creditors of the State, transmitted to the Senate on yesterday with a message from the Governor.

A MESSAGE FROM THE SENATE

is also received, transmitting

S. B. 151, a bill to authorize the collection of arrears of taxes due the towns of Salisbury and Goldsboro for the years 1876–'77 and '78, which is read the first time in this House and referred to the committee on the Judiciary.

The Calendar is resumed, and

H. B. 124, a bill to amend the act to establish a criminal court in the county of Wake, on motion of Mr. Clarke, is laid on the table; and, on motion of Mr. Lewis,

H. B. 126, a bill to regulate the official bonds of sheriffs, is also laid on the table.

THE SPECIAL ORDER,

being H. B. 42, a bill to extend the Raleigh and Gaston Air Line Railroad from any point on its line to any point in or near the city of Charlotte, is announced.

Mr. Colwell moves that the consideration of the bill be for the present postponed, and that it be printed and recommitted to the committee on Internal Improvements, which motion, after discussion, prevails, and the orders are made.

H. B. 128, a bill to incorporate the Kinston Fire Company, in the town of Kinston; and

H. B. 130, a bill to incorporate the Burgaw Male and Female Academy, in Pender county, pass their several read-

ings, and are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 140, a bill to allow Madison township, in Rockingham county, to subscribe to a railroad, on motion of Mr. Lindsay, is laid on the table.

H. B. 141, a bill to amend an act, entitled "An act to establish county governments," ratified 27th of February, 1877, is put on its second reading.

Mr. Hines moves to lay the bill on the table. On that motion, Mr. Norment demands the ayes and nays. The call is sustained, and the bill is tabled by the following vote:

Ayes.—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, English, Etheridge, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Smith, Taylor, Vaughan, Woodhouse, and York—66.

Nays—Messrs. Anderson, Bateman, Battle, Bingham, Bird, Blocker, Brown of Yadkin, Bruce, Cale, Carter of Warren, Carson, Cary, Christmas, Clarke, Covington, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Forbes, Foy, Harrison, Henderson, Hobbs, Horton, Lowry, Lutterloh, Melson, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Ritchey, Scott, Turner, Venable, Waddell, Wheeler, White, Wimberly, Wynne, and Young—47.

The following announcement of the appointment of committees is made:

House Branch of Special Committee on Public Roads and

Highways:—Messrs. Colwell, Brown of Mecklenburg, Ritchey, Blalock, and Davis of Madison.

Special Committee on Fish Interests:—Messrs. York, Fulcher, and Blaisdell.

Committee on County Governments:—Messrs. Cobb, Armstrong, Taylor, Moore, Paxton, Powers, Lamb, Lewis, Lowrie and Osborne.

THE CALENDAR IS RESUMED; AND

H. B. 159, a bill to amend section 1, chapter 104, public laws of 1873–'74, in relation to shooting and seining of mountain trout, is put on its several readings and passes, and is ordered to be sent to the Senate for concurrence.

H. B. 142, a bill to amend section 12, chapter 104, of Battle's Revisal, on motion of Mr. Colwell is laid on the table.

H. B. 157, a bill to repeal sections 5 and 6, of chapter 2 of Battle's Revisal, is put on its several readings, and passes its second reading, and is put on its third. Mr. Bost moves to suspend further present consideration of the bill and make it the special order for 12 o'clock. Pending the consideration of this motion, the

SPECIAL ORDER.

for the hour, being

H. B. 14, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal, is announced.

On motion of Mr. York, the consideration of the special order is postponed for five minutes, to dispose of the matter previously before the House.

The question is on the motion of Mr. Bost to postpone, which is lost on a division, and the bill then passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

The consideration of the special order is resumed.

Mr. Covington submits the following amendment:

"Amend by striking out the amendment of the Judiciary Committe, 'If either party shall commit adultery.'"

The bill is discussed at length, and pending consideration, the House yields to the motion of Mr. Cobb to adjourn until to-morrow morning at 10 o'clock; and H. B. 14 goes forward as unfinished business.

FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Jan. 23, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Black, of the city.

The reading of the Journal is suspended and it stands as approved.

Mr. Blaisdell asks and obtains leave to record his vote in the negative on the tabling by this House yesterday of H. B. 141, a bill to amend the act to establish county governments, he having been detained from his seat in the House by sickness.

INTRODUCTION OF PETITIONS.

The following are introduced and appropriately referred, as follows:

By Mr. Osborne, a petition to prohibit seine-hauling in the waters of Pamlico and Tar river in certain seasons of the year;

By Mr. Norment, a petition from certain citizens of Bladen county, asking the prohibition of the sale of spirituous liquors within two miles of Zion African Methodist church;

By Mr. Bird, a memorial from the Board of Missions, Western Baptist Convention; and

By Mr. Davis of Madison, a petition from citizens of township No. 8, in the county of Madison, asking appropriation to open a public road to their county seat; all of which are referred to the committee on Propositions and Grievances.

By Mr. Brown of Mecklenburg, a petition from citizens of Davidson College, asking that they may be incorporated as a town, to be known as Davidson College; which is referred to the committee on Cities, Towns, Townships, and Counties.

By Mr. Osborne, a petition from citizens of Pamlico county against the annexation of Goose Creek Island to the county of Beaufort; which is referred to the same committee.

By Mr. Speaker Moring, a petition from the North Carolina and Virginia Conference in regard to the desecration of the Sabbath day; which is referred to the committee on Internal Improvements; and

By Mr. Cale, a petition from citizens of Elizabeth City to extend its corporate limits; which is referred to the committee on Corporations.

LEAVES OF ABSENCE

are granted to Mr. Scott from to-morrow until Tuesday; to Mr. Dixon for the same time; and to Mr. Lockhart from to-morrow until Wednesday next.

REPORTS OF COMMITTEES.

Mr. Cooke, from the Judiciary Committee, reports favorably on H. B. 86, a bill to amend chapter 247, laws of 1874–'75; H. B. 138, bill to legalize the acts of the board of county commissioners of Wilkes county at a meeting on the 16th December, 1878; H. B. 153, a bill to change time of the

terms of the superior courts of the counties of Gates and Hertford; S. B. 14, H. B. 168, a bill for revising and digesting the public statute laws of the State; S. B. 16, H. B. 181, a bill providing for the exemption of certain personal property from sale under execution; S. B. 151, H. B. 242, a bill to authorize the collection of the arrears of taxes due the towns of Salisbury and Goldsboro; H. B. 26, a bill to amend chapter 161, laws of 1876–'77, in relation to the probate of deeds and conveyances, and the privy examination of married women; and unfavorably on H. B. 239. a bill to reduce the number of grand jurors to twelve in number in all the courts of this State; H. B. 149, a bill to amend Battle's Revisal, chapter 17, section 84; H. B. 51, a bill to repeal chapter 84, laws of 1874–'75, and chapter 91, laws of 1876–'77; H. B. 5, a bill to secure personal property exemption from execution; H. B. 36, a bill to repeal chapter 291, laws of 1876–'77; H. B. 137, a bill to reform bills of costs in civil suits; on S. B. 38, H. B. 169, a bill to punish incest; and recommending the reference of H. B. 79, a bill to amend chapter 255, section 9, laws of 1876'77, in reference to the courts in the 9th judicial district, to the committee on the Ridings of the Judges.

Mr. Holt from the committee on Corporations, reports favorably on H. B. 210, a bill to incorporate the town of Taylorsville, Alexander county.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 64, a bill to be entitled an act to amend chapter 105 of Battle's Revisal, entitled "Salaries and Fees;"

H. B. 70, a bill to be entitled an act to incorporate the Trustees of Center Point Institute, in Iredell county;

H. B. 117, a bill to be entitled an act to incorporate the Trustees of Macedonia Baptist Church, in the county of Transylvania; and

H. B. 98, a bill to be entitled an act to amend section 1, chapter 260, laws of 1876–'77.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution requiring the Raleigh and Augusta Air–Line R. R. Co., to make restitution, which is referred to the committee on Propositions and Grievances.

By Mr. Lindsay, a resolution in regard to a standard of salaries, fees, &c., which is referred to the committee on Claims.

By Mr. Reynolds, a resolution of instruction to the committee on Railroads, Post–roads, &c., which is placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Finance:

By Mr. Henderson, a bill for the relief of Y. F. Long;

By Mr. Ardrey, a bill to tax non-resident drummers and merchants in the several counties of the State; and

By Mr. Clarke, a bill for the relief of land-owners where land has been sold to the State for taxes;

By Mr. Lindsay, a bill to require town and city tax and fine collectors to make monthly reports;

By Mr. Lockhart, a bill to amend the charter of the town of Laurinburg, Richmond county; and

By Mr. Brown of Mecklenburg, a bill to incorporate the town of Davidson College, Mecklenburg county; all of which are referred to the committee on Counties, Cities, &c.

By Mr. Lockhart, a bill to amend and consolidate the charter of the Great Falls Manufacturing Company, Rockingham, Richmond county;

By Mr. Dunn, a bill to amend chapter 107, laws of

1874–'75, relating to the town of LaGrange, Lenoir county; and

By Mr. Cole, a bill to extend the corporate limits of the town of Elizabeth City.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Lockhart, a bill to authorize the commissioners of Richmond county to levy a special tax;

By Mr. Clarke, a bill to amend chapter 284, laws of 1876–'77, concerning the maintenance of lunatics;

By Mr. Angier, a bill to change the time of holding the Superior Courts of the Fifth Judicial District; and

By Mr. Norment, a bill for the equitable relief of certain classes of indebted persons;

By Mr. Lewis, a bill to prevent the felling of trees in Tar river from the Granville line to the falls in Tar river, Nash county, which is referred to the committee on Propositions and Grievances; and

By Mr. Blocker, a bill to prevent the selling or giving away of spirituous liquors at political speakings, which is referred to the same committee.

By Mr. Buchan, a bill to regulate the taking of shad-fish in the waters of Neuse river, which is referred to the committee on the Fishing Interest.

THE UNFINISHED BUSINESS

of yesterday is resumed, being the consideration on third reading of H. B. 14, a bill to amend section 4 and 7, chapter 37 of Battle's Revisal.

The question is upon the motion of Mr. Covington to strike out from the report of the committee.

Mr. Jones takes the floor in the discussion of the motion to strike out. Mr. Blaisdell moves during the debate that the gallaries be cleared, and the doors of the galleries to be

locked; and it is so ordered by the House, and the Door-Keeper is instructed to carry out the orders.

On motion of Mr. Lockhart, the business of the House is suspended to lay before the House

A MESSAGE FROM THE SENATE,

transmitting the information of the adoption by the Senate of a resolution to appoint a Joint Committee to present names of Trustees of the University at 12 o'clock to-day to the General Assembly.

Concurrence was had in the amendments, and a message is sent to the Senate informing that body of the same, and notifying the Senate of the appointment of Messrs. Lockhart, Foard, Davis, of Catawba, Johnson and Norment to nominate Trustees.

The business before the House is then resumed, the question still being upon the amendment offered by Mr. Covington.

Mr. Cooke calls the previous question. The demand is sustained, and the main question is ordered.

On the question to strike out, Mr. Clarke demands the ayes and nays. The call is sustained, and the motion to strike out prevails by the following vote:

Ayes.—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Berry, Bird, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bryson, Carter of Buncombe, Carter of Yancey, Carson, Christmas, Cobb, Colwell, Council, Davis of Haywood, Davis of Madison, Dunn, Ellison, English, Forbes, Foster, Fulcher, Gatling, Grant, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Meares, Moore, McCorkle, McLean, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Scott, Smith, Wheeler, Woodhouse, York, and Young—58.

Nays.—Messrs. Amis, Barringer, Bateman, Battle, Ber-

nard, Bingham, Blaisdell, Blocker, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Cary, Clarke, Click, Coffield, Cooke, Davis of Catawba, Deans, Dimsdale, Dixon, Ewing, Ferrell, Foard, Foy, Goldston, Harrell, Harrison, Henderson, Hobbs, Leach, Lowry, Lutterloh, Mebane, Melson, Miller, Newell, Norment, Oliver, Osborne, Pettipher, Powers, Reynolds, Ritchey, Taylor, Vaughan, Venable, Waddell, White, Wimberly, and Wynne—53.

An amendment by Mr. Wynne, to "amend by inserting after the word 'marriage,' in line 9, the following subdivision (5): 'If either party shall abandon and live apart from the other for three years, or the husband shall fail for three years to support, or aid in supporting, his wife,'" is read, and the question being put on it, it is rejected.

Mr. Lindsay offers the following:

Amend the committee's amendment with the following substitute: "If the husband shall live in habitual adultery."

Upon the adoption of this substitute, Mr. Norment demands the ayes and nays. The call is sustained, but before the vote is taken the business is suspended to receive

A MESSAGE FROM THE SENATE,

informing the House that the Senate will go into an election for trustees of the University, and appointing Messrs. Scales and Everett as tellers on the part of the Senate.

And a message is sent to the Senate, informing that body that the House will proceed at one o'clock to the election of trustees, and that Messrs. Davis of Catawba and Blaisdell are appointed tellers on the part of the House to superintend said election.

The business before the House is resumed; but before the vote is put, Mr. Lockhart has leave to explain the question as it now stands, after the adoption of the substitute offered

by Mr. Lindsay; and the bill then passes its third reading by the following vote:

Ayes—Messrs. Atkinson, Barringer, Bateman, Battle, Bernard, Blaisdell, Bost, Brown of Yadkin, Bryson, Cale, Cary, Christmas, Clarke, Click, Coffield, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Henderson, Hobbs, Holt, Horton, Lindsay, Lowry, Mebane, Melson, Moore, Newell, Norment, Oliver, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Vaughan, White, and Wimberly—59.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carson, Cobb, Colwell, English, Ferrell, Hewett, Hines, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lutterloh, Meares, Miller, McCorkle, McLean, Orchard, Osborne, Paxton, Reid of Macon, Richardson of Columbus, Richardson of Wake, Scott, Wheeler, Woodhouse, York, and Young—48.

Mr. Cooke moves to reconsider the vote by which the bill passed its third reading in order to have it referred back to the committee on the Judiciary. The motion prevails, and reconsideration is had; and the bill is then recommitted to the Judiciary Committee.

The hour for the election of Trustees of the University having arrived, the Speaker appoints the following gentlemen to superintend the election, to-wit: Messrs. Davis of Catawba, and Blaisdell.

The Joint Select Committee, to whom is assigned the duty to make nominations for Trustees of the University, makes the following report:

The Joint Select Committee to make nominations for Trustees of the University, have discharged their duty, and recommend the following persons for such Trustees: Class

of 1881, Eugene Grissom of Wake, in place of B. F. Moore, deceased; class of 1883, A. H. Merritt of Chatham, in the place of Seaton Gales, deceased; class of 1885, Richard H. Battle of Wake, in the place of D. M. Carter, deceased; class of 1885, A. M. Lewis of Wake, in the place of Forney George, deceased; class of 1879, to fill two vacancies of additional trustees whose terms expire November 30th, 1879, Daniel A. Long, of Alamance, and George Williamson, of Caswell; class of 1879, to fill sixteen vacancies of trustees, whose terms expire November 30th, 1879, Mills L. Eure, of Gates county; William T. Faircloth, of Wayne county; John A. Gilmer, of Guilford county; John W. Graham, of Orange county; James M. Leach, of Davidson county; F. M. Johnson, of Davie county; William J. Yates, of Mecklenburg county; Ralph P. Buxton, of Cumberland county; John Manning, of Chatham county; Noah T. Foard, of Surry county; R. R. Bridgers, of Edgecombe county; R. B. Peebles, of Northampton county; George Davis, of New Hanover county; James L. Robinson, of Macon county; Rev. A. D. Betts, of N. C. Conference.

Respectfully submitted,

JOHN S. HENDERSON,
Chairman of Senate Branch.
JAMES A. LOCKHART,
Chairman House Branch.

And the House proceeds to vote, *viva voce*, it being agreed that all who vote to sustain the nominations of the Committee shall, when their names are called, answer "all."

And the House votes as follows:

All.—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chad-

wick, Christmas, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young.

The above vote "all" with the following exceptions and substitutions:

Mr. Amis and Mr. Burroughs strike out the name of Eugene Grissom and substitute that of John W. Hayes, and vote "all" as to the rest.

Mr. Cobb strikes out the name of W. J. Yates and substitutes that of John F. Hoke, and votes "all" as to the others.

Mr. Holt, strikes out the name of Eugene Grissom and substitutes that of W. F. Dortch, and votes "all" as to the others.

Mr. Vaughan strikes out the names of William T. Faircloth and Mills L. Eure, and substitutes the names of D. H. Hamilton of Ashe, and J. F. Graves of Stokes, and votes "all" as to the others.

A MESSAGE FROM THE SENATE

is received, transmitting

S. R. 215, a resolution in relation to justices of the peace;

S. B. 52, a bill to make justices of the peace *ex-officio* rangers for the townships of the counties in which they reside; and

S. B. 182, a substitute for H. B. 62, a bill to change the

time of holding the superior courts in the fourth judicial district.

They are read the first time in this House, and referred as follows: S. B. 52, and S. R. 215, are referred to the committee on the Judiciary, and S. B. 182 is placed on the Calendar.

On motion S. B. 182 is taken up on its readings, passes, and is ordered to be enrolled for ratification.

Mr. Norment moves to reconsider the vote by which the bill passes its several readings, and to lay that motion on the table; and the motion to reconsider and to table prevails.

Mr. Colwell obtains leave of absence until Wednesday morning next.

By consent, Mr. Blocker introduces a resolution of inquiry respecting the Institution for the Deaf, Dumb and the Blind, which is referred to the committee on Retrenchment and Reform.

S. B. 9, a bill for the relief of F. J. Satchwell, sheriff of Beaufort county, is put on its several readings, passes, and is ordered to be enrolled for ratification;

And on motion of Mr. Bost, the House adjourns until tomorrow morning at 10 o'clock.

FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, Jan. 24, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Atkinson of the city.

The reading of the Journal of yesterday is suspended, and it stands as approved.

LEAVES OF ABSCENCE

are granted to Mr. Armstrong from and after to-day until Monday; to Mr. Carroll and to Mr. Hines until Tuesday; to Mr. Goldston and Mr. Smith until Wednesday; to Mr. Bost until Tuesday; to Mr. Carter of Warren until Monday; to Mr. Rawley until Tuesday; to Mr. Dimsdale indefinitely on account of important private business; and to Mr. Norment, Mr. Ardrey and Mr. Wimberly until Tuesday; to Mr. Grant until Wednesday, and to Mr. Harrison until Wednesday.

INTRODUCTION OF PETITIONS AND MEMORIALS.

By Mr. Moore, a petition from citizens of Pitt county praying the repeal of chapter 222, laws of 1876–'77, in regard to draining wet lands;

By Mr. Newell, a petition from citizens of French's creek in Bladen county, asking for the prohibition of the sale of spirituous liquor within two miles of French's Creek Church; and

By Mr. Richardson of Wake, asking the prohibition of the sale of spirituous and malt liquors within three miles of Wake X Roads in said county;

All of which are referred to the committee on Propositions and Grievances.

By Mr. Barringer, a petition of sundry citizens of Rowan county, asking for a stock law; and

By Mr. Carson, two petitions of a portion of the citizens of Alexander county, asking for the same;

All of which are referred to the committee on Agriculture.

By Mr. Hewell, a petition of the Grand Jury of Onslow county praying the creation of a special finance committee for said county, to examine the finances of the county from 1866 to June 24th, 1879; and

By Mr. Brown of Mecklenburg, a petition from merchants

of Winston, asking for a repeal of the merchants' license tax on their purchases;

Both of which are referred to the committee on Finance;

By Mr. Osborne, a petition of citizens of Beaufort county for a new county to be called Richland;

Which is referred to the committee on Cities, Towns, Townships and Counties; and

By Mr. Orchard, a petition from sundry citizens of Bethel township, Cabarrus county, in relation to the running of trains on the Sabbath day;

Which is referred to the committee on Internal Improvements.

REPORTS OF COMMITTEES.

Mr. Amstrong, from the committee on Propositions and Grievances, reports favorably on H. B. 226, a bill to prevent the felling of timber in the North and South forks of New River, Ashe county; on H. B. 207, a bill to amend chapter 137, section 1, laws of 1873–'74; on H. B. 230, a bill to amend chapter 65, sub-division 18, line 5, in regard to liens on colts; on H. B. 132, a bill to repeal the act to provide a fund for the payment of jurors of Alleghany and Clay counties, &c.; on H. B. 135, a bill to prevent the felling of timber in certain streams in Caldwell county; and on H. B. 201, a bill to amend chapter 38, private laws of 1873–'74, recommending its passage with the adoption of an accompanying amendment; and unfavorably on H. B. 229, a bill to change the line between the counties of Ashe and Watauga; and on H. B. 16, a bill to amend the act to regulate elections.

Mr. Blaisdell, from the Judiciary Committee, reports favorably on H. B. 83, a bill to repeal chapter 29, laws of 1876–'77.

Mr. Vaughan, from the committee on counties, cities, &c., reports favorably on H. R. 63, a resolution concerning the free navigation of the Cape Fear River; and unfavorably

on H. B. 192, a bill to keep the public roads of Jones county in good order.

Mr. Colwell, from the committee on Agriculture, &c., reports unfavorably on H. R. 53, a resolution to encourage stock raising.

Mr. Bost, from same committee, reports unfavorably on S. R. 67, H. R. 44, a joint resolution requiring the State Geologist to make a report.

Mr. Lewis, from the same committee, reports unfavorably on H. R. 80, a resolution on sheep husbandry.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on S. B. 119, H. B. 222, a bill for the relief of Benj. F. Bullock, late sheriff of Granville county; on S. B. 61, H. B. 144, a bill to amend section 40, chapter 105, Battle's Revisal, regulating the fees of jailors, recommending its passage with the adoption of an accompanying amendment; and unfavorably on H. B. 55, a bill for the relief of tax collectors of Macon county; H. B. 100, a bill authorizing the tax collector of Graham county to collect unpaid taxes of said county for the year 1877; and on H. B. 186, a bill to allow the sheriffs and tax collectors of Polk county to collect arrears of taxes for the years 1875, 1876, 1877 and 1878.

Mr. Cooke, from the committee on the Judiciary, reports favorably on H. B. 184, a bill to establish the State line between the county of Macon, in North Carolina, and the county of Rabun in the State of Georgia; S. B. 40, H. B. 182, a bill to empower the foreman of Grand Juries to administer oaths and affirmations; on H. B. 187, a bill declaratory of the meaning of an act in relation to the probate of deeds and the privy examination of married women, being chapter 161, laws of 1876–'77; and S. B. 52, H. B. 260, a bill to make Justices of the Peace *ex officio* Rangers for the townships of the counties in which they reside; on S. R. 215, H. R. 91, a resolution in relation to Justices of the Peace; on H. B. 86, a bill to amend chapter 247, laws of 1874–'75 in

regard to fees in State cases; and unfavorably on H. B. 61, a bill to amend chapter 176; laws of 1873–'74, entitled "Crimes and Punishments;" on H. R. 57, a resolution in regard to the jurisdiction of Justices of the Peace; on H. B. 198, a bill to render jurors who have cases on the civil or criminal docket competent to serve on the jury, repealing 229 "*g*" chapter 17, Battle's Revisal; on H. B. 257, a bill to amend chapter 284, laws of 1876–'77, concerning the maintenance of lunatics; on H. B. 151, a bill to amend section 119, chapter 33, Battle's Revisal; H. B. 214, a bill to extend the jurisdiction of Justices of the Peace; and on H. B. 236, a bill to amend section 2, 4 and 5, private laws of 1876–'77, recommending its reference to the committee on Fish Interest; on H. B. 206, a bill to list taxable property in any county in the township where the owner or agent resides, recommending its reference to the committee on Finance; on H. B. 194, a bill to amend chapter 289, laws of 1874–'75, recommending its reference to the committee on Propositions and Grievances.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 157, a bill to be entitled an act to repeal section 5 and 6 of Battle's Revisal;

H. B. 121, a bill to be entitled an act to amend chapter 48 of Battle's Revisal;

H. B. 159, a bill to be entitled an act to amend section 1, chapter 104, public laws of 1873–'74, in relation to shooting and seining of mountain trout;

H. B. 71, a bill to be entitled an act for the relief of prisoners confined in the common jails of this State;

H. B. 128, a bill to be entitled an act to incorporate the "Kinston Fire Company, number one," of the town of Kinston;

H. B. 130, a bill to be entitled an act to incorporate the "Burgaw Male and Female Academy" in Pender county.

Mr. Carson, from the committee on Enrolled Bills, reports the following bills and resolutions to have been correctly enrolled, viz:

A resolution to print the report of the Commissioner of Agriculture;

An act to change the times of holding the Courts in the counties in the Fourth Judicial District;

A resolution to raise a Joint Committee on Federal Relations;

An act for the relief of the sureties of J. M. Monger, late Sheriff of Moore county;

An act for the relief of F. J. Satchwell, Sheriff of Beaufort county.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and assigned to the Calendar:

By Mr. Turner, resolution to mortify and shame the Ring, &c.;

By Mr. Turner, a resolution regulating the meeting and adjournment of this House; and

By Mr. Turner, a resolution to sue and indict the Ring men.

By Mr. Huffstetler, a resolution in favor of Gaston county, which is referred to the committee on Finance.

INTRODUCTION OF BILLS.

By Mr. Cobb, a bill to remove obstructions to the passage of fish and provide fishways; and

By Mr. Foy, a bill concerning fish; both of which are referred to the committee on Fish Interest.

By Mr. McLean, a bill to continue in force the act pro-

viding for the establishment of normal schools, which is referred to the committee on Education.

The following bills are introduced and referred to the committee on Finance:

By Mr. Hewitt, a bill to raise a special finance committee for Onslow county;

By Mr. Leatherwood, a bill to serve notices to justices of the peace;

By Mr. Leatherwood, a bill to increase State and county revenues; and

By Mr. Angier, a bill to grant certificates of exemption from payment of poll tax.

The following bills are introduced and referred to the committee on Corporations:

By Mr. Orchard, a bill to incorporate the American Gold Company of North Carolina;

By Mr. Orchard, a bill to incorporate the Standard Gold Campany of North Carolina; and

By Mr. Bizzell, a bill to incorporate the town of Newton Grove, Sampson county.

By Mr. Osborne, a bill to establish a new county by the name of Richlands; and

By Mr. Richardson of Columbus, a bill to create two new townships in Bladen county; both of which are referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Barringer, a bill concerning the support of lunatics, which is referred to the committee on Insane Asylum.

By Mr. Newell, a bill to prohibit the sale of intoxicating liquors; and

By Mr. White, a bill to repeal the prohibition of the sale of liquor near Zion Church, &c., both of which are referred to the committee on Propositions and Grievances.

By Mr. White, a bill to amend chapter 9, section 1, Battle's Revisal, which is referred to the committee on the Judiciary.

THE CALENDAR

was taken up, and

H. B. 174, a bill to prevent the desecration of the Sabbath day is put on its passage.

The question is on the adoption of the amendment of the committee, which is accepted by the House; and the bill as amended, passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 5, a bill to secure personal property exemptions from execution, on motion of Mr. Bernard, is laid on the table.

H. R. 77, a resolution in regard to purchasing maps for the use of the Legislature, is put on its readings, and passes its second reading. On the third reading,

Mr. Atkinson submits the following proviso, which is adopted:

"*Provided*, that said maps shall not cost more than six dollars each;"

and the resolution amended passes, and is ordered to be engrossed and sent to the Senate for concurrence.

ELECTION OF TRUSTEES FOR THE UNIVERSITY OF N. C.

The committee appointed to superintend the election of Trustees of the University of North Carolina, respectfully report:

CLASS OF 1881.—For the place of B. F. Moore, deceased, Dr. Eugene Grissom received in the Senate 37 votes, in the House of Representatives 104 votes, total 141.

CLASS OF 1883.—For the place of Seaton Gales, deceased, A. H. Merritt received in the Senate 36 votes, in the House of Representatives 107 votes, total 143.

Class of 1885.—For the places of D. M. Carter, deceased, and Forney George, deceased, Richard H. Battle of Wake, received in the Senate 34, in the House of Representatives 107 votes, total 141.

Same Class, A. M. Lewis of Wake, received in the Senate 34 votes, in the House of Representatives 107 votes, total 141.

Dr. E. B. Haywood received in the Senate 2 votes.

N. A. Gregory received in the Senate 2 votes.

To fill 16 regular vacancies which occur November 30th, 1879:

Mills L. Eure of Gates, received in the Senates 37 votes, in the House 106, total 143.

W. T. Faircloth of Wayne, received in the Senate 37 votes, in the House 106, total 143.

John A. Gilmer of Guilford, received in the Senate 37 votes, in the House 107, total 144.

John W. Graham of Orange, received in the Senate 37 votes, in the House 107, total 144.

James M. Leach of Davidson, received in the Senate 36 votes, in the House 107 votes, total 143.

F. M. Johnson of Davie, received in the Senate 37 votes, in the House 107 votes, total 144.

W. J. Yates of Mecklenburg, received in the Senate 37 votes, in the House 106 votes, total 143.

Ralph P. Buxton of Cumberland, received in the Senate 37 votes, in the House 107 votes, total 144.

John Manning of Chatham, received in the Senate 37 votes, in the House 107 votes, total 144.

R. R. Bridgers of Edgecombe, received in the Senate 37 votes, in the House 107 votes, total 144.

R. B. P. Peebles of Northampton, received in the Senate 37 votes, in the House 107 votes, total 144.

D. P. McEachairn of Robeson, received in the Senate 37 votes, in the House 107 votes, total 144.

George Davis of New Hanover, received in the Senate 37 votes, in the House 107 votes, total 144.

James L. Robinson of Macon, received in the Senate 37 votes, in the House 107 votes, total 144.

A. D. Betts, North Carolina Conference, received in the Senate 37 votes, in the House 107 votes, total 144.

SCATTERING VOTES.

Isaac Dortch of Wayne, received in the Senate one vote.

W. L. Twitty of Rutherford, received in the Senate one vote.

H. A. London of Chatham, for Class of 1883, received in the Senate one vote.

H. A. Gilliam of Wake, for class of 1885, received in the Senate one vote.

J. W. Hayes of Granville, received in the House two votes.

John F. Hoke of Lincoln, received in the House one vote.

W. T. Dortch of Wayne, received in the House one vote.

D. H. Hamilton of Ashe, received in the House one vote.

Judge J. F. Graves of Surry, received in the House one vote.

To fill two additional vacancies which occur November, 30th, 1879:

D. A. Long of Alamance, received in the Senate 37 votes, in the House 107 votes, total 144.

George Williamson of Caswell, received in the Senate 36 votes, in the House 107 votes, total 143.

J. I. SCALES,
G. B. EVERETT,
On part of the Senate.
R. B. DAVIS,
J. S. BLAISDELL,
On part of the House.

THE CALENDAR

is resumed, and

H. R. 46, a resolution in regard to chapter 274, laws of 1876–'77, is put on its adoption, and on a division no quorum votes.

Mr. Ardrey moves to lay the resolution on the table, but withdraws his motion to admit discussion.

Mr. Mebane moves to refer the resolution to the committee on Agriculture. Mr. Atkinson renews the motion to table, and it is so ordered by the House.

H. B. 26, a bill to amend chapter 161 of the laws of 1876–'77, entitled "An act in relation to the probate of deeds and conveyances, and the privy examination of married women," is taken up and passes its second reading, and goes to its third reading. Mr. Clarke moves that further present consideration be suspended, and the bill be made the special order for to-morrow at 12 o'clock. On a division, the motion fails, ayes 35, nays 55; and the question then occurs on the passage of the bill on its third reading, and it passes and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 27, a bill to allow the Sheriff of Hertford county to collect arrears of taxes, on motion of Mr. Richardson of Columbus, is laid on the table.

H. B. 37, a bill to repeal chapter 271, laws of 1876–'77, on motion of Mr. Richardson of Wake, is recommitted to the committee on the Judiciary.

H. B. 51, a bill to repeal chapter 84, laws of 1874–'75, and chapter 91 laws of 1876–'77, on motion of Mr. Holt, is laid on the table.

H. B. 76, a bill to protect the honest trades and professions from impositions and frauds, on motion of Mr. Lindsay is laid on the table.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 195, a bill concerning the election in the year 1878 for certain officers;

S. B. 91, a bill to incorporate Brevard's Station, Gaston county; and

S. B. 15, a bill to provide for the holding of the Superior Courts successively to the Judges of said courts.

They are read the first time in this House, and

S. B. 195, is referred to the committee on Privileges and Elections;

S. B. 91, to the committee on corporations; and

S. B. 15, is placed upon the Calendar.

On motion of Mr. Vaughan, the bill is taken from the Calendar, and at once put on its readings; but pending action,

THE SPECIAL ORDER,

being H. B. 52, a bill to regulate interest, is announced; but, on motion of Mr. Vaughan, consideration of it is postponed until the business before the House is diposed of.

S. B. 15 is again resumed, and the bill passes its several readings and is ordered to be enrolled for ratification.

THE SPECIAL ORDER

is resumed, and on motion of Mr. Jones is postponed and made the special order for Friday, January 31st, at 12 o'clock.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 17, a bill to amend chapter 105, private laws of

1875–'76; it is read the first time in this House, and is referred to the committee on Propositions and Grievances.

THE CALENDAR IS RESUMED,

and H. B. 21, a bill to authorize the election of township constables, is put on its third reading.

The question is on the substitute offered by the committee, which, on a division, is adopted, 63 voting in the affirmative, and the bill so substituted, passes its third reading, and takes its place as H. B. 281, and is ordered to be engrossed and sent to the Senate.

H. B. 79, a bill to amend chapter 255, section 9, laws of 1876–'77, in reference to the Courts in the Ninth Judicial District is taken up. The question is on the recommendation of the committee that the bill be referred to the committee on the Ridings of the Judges. The House adopts the recommendation, and the bill is so assigned.

H. B. 86, a bill to amend chapter 247, laws of 1874–'75, entitled an act in relation to fees in State cases, passes its several readings, and is ordered to be engrossed and transmitted to the Senate.

On motion of Mr. Carter of Buncombe, the rules are suspended, and

S. B. 40, a bill to empower the foreman of Grand Juries to administer oaths and affirmations, is put on its readings, and the bill passed its second reading, and went to its third reading.

Mr. Carter of Buncombe, offers the following amendment:

"*Provided further*, that the foreman of the grand jury shall on the bill mark the names of the witnesses sworn and examined before the jury."

The amendment was adopted; and the bill so amended,

passes its third reading, and is ordered to be sent to the Senate with engrossed amendments.

THE CALENDAR

is resumed, and

H. B. 89, a bill to alter the Constitution in regard to punishments, so as to include the punishment of whipping, is put on its readings.

An amendment of the committee, providing against the whipping of women is read, and also the minority report of the committee.

Mr. Foard moves that the bill be made the special order for Thursday next at 12 o'clock m.

Mr. Dunn moves that the bill be printed with the reports both of majority and minority.

Mr. Foard calls for a division of the question; which is first taken on the motion to print, and carried on a division by a vote of 51 ayes, and 22 nays; and then on the motion to make special order for Thursday next at 12 m., which is carried.

Mr. Turner moves that the vote by which S. B. 40 is passed, be reconsidered; and that the motion to reconsider be entered on the Journal; and it is so ordered.

H. B. 120, to indemnify the county of Mitchell, is taken up; and the recommendation of the committee that it be referred to the committee on Finance is adopted.

The following announcement of additions to Standing Committees is made:

Mr. Jones is added to the committee on the Judiciary; and

Mr. Amis is added to the committee on Banks and Currency;

And on motion of Mr. Colwell, the House adjourned until to-morrow at 10 o'clock.

SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, Jan. 25th, 1879.

The House meets at 10 A. M., and is called to order by Mr. Speaker Moring.

Prayer by Rev. Dr. Pritchard, of the city.

The Journal of yesterday is read and approved.

PETITIONS, MEMORIALS, ETC.

Messrs. Woodhouse, Read of Macon, Foster, Lewis, Bernard, English, Cooke, and Clarke presented petitions which are read appropriately disposed of.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the committee on Finance, reports unfavorably on H. B. 125, a bill to empower J. J. Rae, ex-sheriff, and Dempsey Sherrill, present sheriff of Washington county, to collect arrears of taxes.

Mr. Powers, from the committee on Propositions and Grievances, reports favorably on H. R. 64, a resolution requesting our Senators and Representatives in Congress to obtain an appropriation from the Congress of the United States to open Waccamaw river; on

S. B. 29, H. B. 220, a bill to prevent the stealing dead bodies, recommending its passage with the adoption of certain accompanying amendments; favorably on

H. B. 175, a bill to prevent the obstruction of Rockfish and other streams in Duplin county; on

H. B. 209, a bill to prevent the felling of trees in Jonathan's Creek, Haywood county; on

H. B. 243, S. B. 92, a bill to amend chapter 219, laws

1876–'77, entitled "an act to protect deer in Stokes, Forsythe, Surry, &c.; and unfavorably on

H. B. 204, a bill in relation to public cotton gins.

Mr. Bernard, from the committee on Counties, Cities, Town, and Townships, reports favorably on

H. B. 245, a bill requiring town and city collectors of taxes and fines to make monthly reports; on

H. B. 251, a bill incorporating Davidson College, Mecklenburg county; on

H. B. 276, a bill to create two new townships in Bladen county; on

H. B. 247, a bill to amend the charter of the town of Laurinburg, Richmond county; and on

S. B. 70, H. B. 223, a bill to allow Milton township, Caswell county, to subscribe $15,000 in payment of stock in the Milton & Sutherlin Narrow Gauge Railroad Company, &c.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 265, a bill to incorporate the Standard Gold Company of North Carolina; on

H. B. 264, a bill to incorporate the American Gold Company of North Carolina; and on

H. B. 213, a bill to amend the charter of Mooresville, Iredell county, recommending its passage with the adoption of certain accompanying amendments.

Mr. Carson, from the committee on Enrolled Bills, reported the following act to have been correctly enrolled, viz:

An Act concerning the election in 1878 for certain officers.

INTRODUCTION OF RESOLUTIONS.

By Mr. Vaughan, resolution in favor of John S. Hampton; referred to the committee on Printing.

By Mr. York, a resolution of request to our representa-

tives in Congress in regard to the navigation of the Yadkin river; and

By Mr. Cooke, a resolution of instruction to committee in regard to Private Bills.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Lewis, a bill to prohibit the sale of spirtuous liquors within the corporate limits of Nashville;

By Mr. Reid of Macon, a bill to prohibit the sale of liquor within two miles of Highland Academy;

By Mr. Council, a bill to prohibit the sale of liquor within one mile of Three Forks Baptist Church, Watauga county;

By Mr. Reynolds, a bill to punish treasurers of benevolent and religious institutions who applies the moneys of such institutions to their own private use; and

By Mr. Clarke, a bill to prevent the running at large of cattle on the south side of Trent river, &c.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Deans, a bill to amend sections 10 and 11 of chapter 16, Battle's Revisal;

By Mr. Clarke, a bill to authorize the Commissioners of Craven county to fund their debt and issue bonds, and for other purposes;

By Mr. Holt, a bill to amend sections 3 and 4, chapter 80, Battle's Revisal;

By Mr. English, a bill to amend section 5, article 5, Constitution of North Carolina; and

By Mr. Ellison, a bill to regulate elections.

By Mr. Bernard, a bill to alter and amend the charter of the Snow Hill, Greenville and Goldsboro Railroad; and

By Mr. Ellison, a bill to incorporate the Raleigh and

Rocky Mount Railroad Company; which are referred to the committee on Internal Improvements;

Also by Mr. Davis of Catawba, a bill to incorporate the Lincoln and Catawba Railroad Company, which is ordered to be printed and referred to the committee on Internal Improvements.

By Mr. Coffield, a bill for the benefit of the Agricultural Fair of this State; and

By Mr. Carson, a bill for the benefit of the farmers of the South Yadkin river, Alexander county; which are referred to the committee on Agriculture.

By Mr. Henderson, a bill to amend chapter 275, laws of 1876–'77, which is referred to the committee on Privileges and Elections.

By Mr. Turner, a bill to repeal H. B. 422, ratified 22nd of March, 1875, which is placed on the Calendar.

By consent, Mr. Cobb from the committee on Pivileges and Elections, presents a report on H. B. 280, S. B. 195, a bill concerning the election in the year 1878 for certain officers, and recommends its passage.

By the Chair, a petition and resolution, which are referred to the committee on Internal Improvements.

At the expiration of the morning hour, Mr. Turner commenced reading a protest in regard to the mode of election of the Trustees of the University, which he wished to have spread upon the Jounal, when

On motion of Mr. Vaughan, the reading was discontinued on the point that it was disrespectful in its tone to the House.

Mr. Turner arose to a question of personal privilege in regard to the matter.

Mr. Cooke arose to a point of order that Mr. Turner's remarks were not relevant to the matter under discussion.

The Chair sustained the point of order.

The Calendar was taken up.

H. R. 63, a resolution concerning the free navigation of

the Cape Fear river, is taken up, passes its several readings, is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 280, S. B. 195, a bill concerning the election in the year 1878 for certain officers, is taken up, passes its several readings and is ordered to be enrolled for ratification.

Mr. Cobb moves to reconsider the vote by which H. B. 280, S. B. 195, passed its third reading and to lay that motion on the table; the motion prevails.

Mr. Vaughan moves to take up H. B. 119, a bill to amend the charter of the Mt. Airy Railroad Company and to provide for the building of a Railroad from Greensboro, Guilford county, to Ore Knob, Ashe county, and refer to the committee on Internal Improvements, which motion prevails.

UNFINISHED BUSINESS.

H. R. 90, a resolution of instruction to the committee on Railroads, Postroads, &c., being the unfinished business of yesterday, is taken up.

On motion of Mr. Vaughan, it is referred to the special joint select committee on Public Roads.

Mr. Clarke is granted leave of absence until Wednesday, and Mr. Holt until Monday, and Mr. Ferrell until to-day.

CALENDAR RESUMED.

H. B. 55, a bill for the relief of tax collector of Macon county, is taken up on its third reading, and, on motion of Mr. York, laid on the table.

H. B. 100, a bill authorizing the tax collector of Graham county to collect arrears of taxes is taken up, and, on motion of Mr. York, is laid on the table.

H. B. 130, a bill to prevent the felling of timber and brush in the main run of Swift Creek, from Lewis's Bridge,

Edgecombe county, to Whitaker's Bridge, Nash county, is taken up and passed its second reading.

Under a suspension of the rules, the bill came up on its third reading;

Mr. Wimberly moves to amend by striking out Lewis's Bridge and inserting "the mouth of Swift Creek," which amendment is adopted, and the bill as amended passes and is ordered to be engrossed.

By consent, Mr. Covington reports on H. B. 87, a bill to secure litigants in the courts of justices of the peace, &c., recommending the adoption of an accompanying substitute.

CALENDAR RESUMED.

H. R. 64, a resolution requesting our Representatives in Congress to obtain an appropriation to open Wacamaw river;

After amendment by Mr. Richardson from Columbus, the resolution passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence;

H. B. 132, a bill to repeal an act to provide a fund for the payment of jurors in the counties of Alleghany and Clay, is taken up and passes its second reading, and is passed over informally on its third reading;

H. B. 135, a bill to prevent the felling of timber in certain streams in Caldwell county, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

A message was received from the Governor transmitting the reports of the Board of Health and Board of Agriculture, which were transmitted to the Senate, on motion of Mr. Coffield, with a proposition to print so much thereof as refers to the report of the Treasurer of the Department of Agriculture;

By consent, Mr Carter of Buncombe, from the committee

on Internal Improvements, reports on H. B. 137, a bill to change the name and authorize the consolidation of the Western R. R. Company with the Fayetteville and Florence R. R. Company and the Mount Airy R. R. Company, and to complete the same, recommending an accompanying substitute.

A message is received from the Senate transmitting the following bills and asking the concurrence of the House:

S. B. 180, a bill to regulate the length of the sessions of the Grand Jurors in the several counties in the State;

S. B. 98, a bill to prevent the destruction of turtle, terrapin and marsh fowls in Brunswick county;

S B. 84, a bill to require the prosecutor to pay the cost in criminal proceedings in certain cases;

S. B. 54, a bill to define the criminal jurisdiction of Justices of the Peace; and

S. B. 154, a bill to amend section 25, chapter 275, laws of 1876–'77.

S. B. 98 is referred to the committee on Propositions and Grievances, and S. B. 180, 84, 54 and 154 to the committee on the Judiciary.

The Calendar is resumed.

H. B. 138, a bill to legalize the act of the board of commissioners of Wilkes county, at a meeting on the 16th of December, 1878, is taken up, passes its several readings, is ordered to be engrossed and sent to the Senate for concurrence.

A message is received from the Senate, announcing the appointment of Senators Alexander, Merritt and Hollman, as the Senate branch of the joint select committee on Public Roads, and of Senators Davidson and Moye as the Senate branch of the joint select committee on Fish Interest.

The Chair announced that Mr. Jones would be added to the committee on the Judiciary, and Mr. Amis to the committee on Banks and Currency, and Mr. Reid of McDowell, to the committee on Internal Improvements.

The Calendar is resumed.

H. R. 46, a resolution relating to the printing of bills and resolutions of a public character, is taken up and no quorum voted; the question being put again Mr. York moves to amend by saying that no bill shall be printed unless recommended by a committee, when,

On motion of Mr. Brown of Mecklenburg, the whole matter is laid on the table.

H. R. 65, a resolution in regard to subordinates in each House, is taken up;

Mr. Vaughan moves to amend by inserting after the word "employees," the words "such as are reported by the committee as are necessary;" the amendment is adopted and the resolution passes its several readings and is ordered to be sent to the Senate for concurrence.

Mr. Turner moves to call up a motion to reconsider the vote by which S. B. 40 passed yerterday, which motion is entered on the Journal. The motion to reconsider is put and lost.

H. R. 95, a resolution regulating the meetings and adjournment of this House, is taken up.

Mr. Brown of Mecklenburg, moves to lay on the table, but afterwards withdrew the motion in order to allow discussion, and afterwards renewed it.

On this motion, Mr. Turner calls for the ayes and nays. The call is not sustained and the motion to table prevails.

S. B. 119, H. B. 222, a bill for the relief of B. F. Bullock, late Sheriff of Granville county, is taken up, passes its several readings and is ordered to be enrolled for ratification.

S. B. 151, H. B. 242, a bill to authorize the collection of arrears of taxes in the towns of Salisbury and Goldsboro for the years 1876, 1877, and 1878, is taken up, passes its second and third readings, and is ordered to be enrolled for ratification.

H. B. 251, a bill to incorporate the town of Davidson College, Mecklenburg county, is taken up, passes its second

and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 188, a bill to incorporate Germania Lodge, No. 4, K. of P., Wilmington, is taken up.

The question recurs on the amendment proposed by the committee on Corporations to strike out in section 2 all after the word "States" in line 6. The amendment is adopted, and the bill passes its second and third readings, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Brown of Mecklenburg, the vote by which H. B. 251 passed its third reading is reconsidered.

The reconsideration of the vote by which the bill passed its second reading is also had, and the question recurring on its passage on its second reading, it passed by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dunn, Ellison, English, Etheridge, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Henderson, Hewett, Hobbs, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Meares, Mebane Melson, Miller, Moore, McLean, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Taylor, Vaughan, Venable, Waddell, Wheeler, White, Woodhouse, Wynne, York, and Young—89.

H. B. 111, a bill to incorporate the Warm Springs Toll Bridge Co., is taken up on its third reading.

On motion of Mr. Atkinson, the bill is postponed and made special order for Monday at 12 M.

H. B. 195, a bill to incorporate the Warrior Camp Ground, Caldwell county, is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 197, a bill to incorporate the Love and Charity Society of Wilson Creek Academy, Caldwell county, is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 201, a bill to amend chapter 38, private laws of 1873–'74, is taken up.

The question recurs on the amendment offered by the committee on Propositions and Grievances, by adding after the word "each" in section 1, the words, "The commissioners shall appoint only farmers who grow cotton," which is adopted.

Mr. Cooke moves to amend by striking out "6" and inserting "4" in section 1, which amendment is accepted; and the bill passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 208, a bill for the relief of the sheriff of Yadkin county, allowing him to collect the arrears of taxes for the years of 1876–'77, is taken up.

On motion of Mr. Richardson, of Columbus, the bill is referred to the committee on Finance.

H. B. 210, a bill to incorporate the town of Taylorsville, in Alexander county, is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate.

H. B. 226, a bill to prevent the felling of timber in the waters of North and South fork of New River, Ashe county, is taken up, and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 229, a bill to change the line between the counties of Ashe and Watauga, is taken up, and, on motion of Mr. Council, is referred to the committee on Counties, Cities, &c.

S. B. 14, H. B. 168, a bill for revising and digesting the public statute laws of this State, which on motion of Mr.

Richardson of Columbus, is made special order for Tuesday next at 12 M.

By unanimous consent, Mr. Cooke introduces a resolution of instruction to the various committees of this House in regard to private bills.

Under a suspension of the rules, the resolution is adopted.

S. R. 67, H. R. 44, a resolution requiring the State Geologist to make a report, is taken up, and on motion of Mr. Foard, laid on the table.

S. R. 215, H. R. 91, a resolution in relation to Justices of the Peace, on its third reading is taken up.

Mr. Turner moves to amend by striking out the words "without debate." On a division the amendment is adopted, and the resolution as amended is adopted and ordered to be sent to the Senate for concurrence in the amendment.

On motion of Mr. Amis, the House adjourned until Monday morning 10 o'clock.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, Jan. 27, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Marshal of the city.

The Journal of Saturday is read and ordered to be corrected in so much as relates to the protest offered by Mr. Turner against the election of Trustees of the University, wherein Mr. Turner is related to have read the protest; whereas the protest was sent to the Clerk's desk and read by the Clerk up to the point when it was declared inadmissible and its reading suspended; at which time it was returned to the presentor by the hands of a page. Also, in the state-

ment that Mr. Vaughan raised the point of order; whereas the point was made by Mr. Jones.

LEAVES OF ABSENCE

are granted to Mr. McLean until to morrow morning; and to Mr. Horton, Assistant Doorkeeper, until Saturday, on account of sickness, he placing a substitute in his stead.

PETITIONS, ETC.

Mr. Woodhouse, a petition against the extension of the corporate limits of Elizabeth City, in the county of Pasquotank, which is referred to the committee on Corporations.

REPORTS OF COMMITTEES.

Mr. Powers from the committee on Propositions and Grievances, reports favorably on

H. B. 249, a bill to prevent the felling of trees in Tar river, from the Granville line to the falls of Tar river, Nash county; on

H. B. 122, a bill to allow citizens of Jackson county to pass through toll gates in Macon county free of charge and citizens of Macon county to do the same thing in Jackson county; and favorably, with amendment, on

H. B. 102, a bill to amend chapter 240, laws of 1874–'75, an act to prevent discrimination in freight tarriffs by rail road companies operating in this State.

Messrs. Woodhouse and English, from the committee on Engrossed Bills, reported the following bills and resolutions, &c., to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 201, a bill to be entitled an act to amend chapter 38, private laws of 1873–'74;

H. B. 188, a bill to be entitled an act to incorporate Ger-

mania Lodge, Number 4, Order of Knights of Pythias, of Wilmington, N. C.;

H. B. 135, a bill to be entitled an act to prevent the felling of timber in certain streams in Caldwell county.

H. B. 130, a bill to be entitled an act to prevent the felling of timber in Swift Creek from its mouth to Whitaker's Bridge in Nash county.

H. B. 197, a bill to be entitled an act to incorporate the Love and Charity Society of Wilson Creek Academy, in the county of Caldwell.

H. B. 138, a bill to be entitled an act to legalize the acts of the Board of County Commissioners of Wilkes county, at a meeting on the 16th of December, 1878.

H. B. 226, a bill to be entitled an act to prevent the felling of timber in the waters of North and South fork of New River in the county of Ashe.

H. B. 210, a bill to be entitled an act to incorporate the town of Taylorsville, in the county of Alexander.

H. B. 195, a bill to be entitled an act to incorporate the Warrior Camp Ground in the county of Caldwell.

H. B. 26, a bill to be entitled an act to amend chapter 161 of the laws of 1876 and 1877, entitled an act in relation to the probate of deeds and conveyances, and privy examination of married women.

H. B. 281, a bill to be entitled an act to amend section one, chapter 275, laws of 1876 and 1877.

H. B. 174, a bill to be entitled an act to prevent the desecration of the Sabbath day.

H. B. 86, a bill to be entitled an act to amend chapter 247, laws of 1874 and 1875, entitled an act in relation to Fees in State cases.

H. R. 77, a resolution in regard to purchasing Maps for use of Legislature.

H. R. 63, a resolution concerning the free navigation of the Cape Fear River.

H. R. 65, a resolution in regard to subordinates of each House.

Engrossed amendment to S. B. 40, H. B. 182, a bill to be entitled an act to empower the foreman of Grand Juries to administer oaths and affirmations.

INTRODUCTION OF RESOLUTIONS.

By Mr. Ellison, a resolution asking an appropriation from Congress to make Neuse river navigable to Mill Falls, Wake county; and

By Mr. Henderson, a resolution requiring the superintendent of the State Penitentiary to furnish statement of the salaries of officers; both of which are placed on the Calendar.

By Mr. Moore, a resolution concerning the public printing, which is referred to the committee on Printing.

By Mr. Cobb, a resolution in favor of Lincoln county, which is referred to the committee on Finance.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Agriculture:

By Mr. Reid of McDowell, a bill for the drainage of lands on Muddy Creek, McDowell county;

By Mr. Lindsay, a bill to enlarge the duties of the Agricultural Department; and

By Mr. Berry, a bill providing for the election of Commissioner of Agriculture.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Moore, a bill concerning the ratification of the laws of the present General Assembly;

By Mr. Harrell, a bill to allow non-resident executors to take oath before a Commissioner of Affidavits; and

By Mr. Ellison, a bill in regard to additional disqualifications for jurors.

By Mr. Young, a bill to amend chapter 104, section 2, Battle's Revisal, which is referred to the committee on Public Roads.

The following bills are referred to the committee on Corporations:

By Mr. Lamb, a bill to amend chapter 45, laws of 1873–'74;

By Mr. Reid of Macon, a bill to incorporate the town of Highlands, Macon county;

By Mr. Jones, a bill to incorporate Marvin's Camp Ground, Caldwell county; and

By Mr. Brown of Mecklenburg, a bill to incorporate the Charlotte Home and Hospital.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Chadwick, a bill for the better protection of wild fowl in Carteret county;

By Mr. Turner, a bill extending the powers of Grand Jurors; and

By Mr. Turner, a bill concerning vaccination.

By Mr. Cobb, a bill to amend chapter 68, laws of 1876-'77, which is referred to the committee on County Government.

By Mr. Reynolds, a bill to regulate elections, which is referred to the committee on Privileges and Elections.

By Mr. Newell, a bill to compel parties holding old notes and judgments to pay back taxes thereon; which is referred to the committee on Finance.

The morning hour having expired,

THE CALENDAR

is taken up, and

H. B. 16, a bill to amend an act to regulate elections, ratified March 12th, 1877, is taken up on its second reading,

and on motion of Mr. Bizzell, is laid on the table, after an ineffectual call for the ayes and nays by Mr. Cale.

H. B. 158, a bill to amend Battle's Revisal in regard to laying off roads, &c., is taken up. On motion of Mr. Covington, the bill is ordered to be printed; and, on motion of Mr. Vaughan, the motion to print is amended by making the bill the special order for Tuesday, the 4th of February, at 12 o'clock; and it is so ordered by the House.

By consent, Mr. Atkinson introduces a bill to repeal chapter 160, public laws of 1873–'74, which is referred to the committee on Propositions and Grievances.

The Calendar is resumed, and

H. B. 251, a bill to incorporate the town of Davidson College, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carson, Chadwick, Christmas, Click, Coffield, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Ellison, English, Etheridge, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Harrell, Henderson, Hewett, Hobbs, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Meares, Mebane, Miller, Moore, McCorkle, Newell, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of McDowell, Reynolds, Ritchey, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Woodhouse, York, and Young—83.

Nays—None.

Mr. Foard moves to reconsider the vote by which S. R. 215, a joint resolution in regard to the election of magistrates was adopted on Saturday. On the motion to reconsider, Mr. Foard calls the previous question. The call is

sustained, and the main question is ordered. The question is then on the motion to reconsider, upon which Mr. Ellison demands the ayes and nays. The call is sustained and reconsideration is had by the following vote:

Ayes—Messrs. Amis, Angier, Atkinson, Barringer, Bernard, Berry, Bizzell, Blalock, Bonner, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Chadwick, Click, Coffield, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Fulcher, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Meares, Melson, Moore, McCorkle, Orchard, Paxton, Powers, Reid of Macon, Ritchey, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—51.

Nays—Messrs. Anderson, Bateman, Battle, Bingham, Bird, Blaisdell, Blocker, Brown of Yadkin, Bruce, Bryson, Cale, Carson, Christmas, Davis of Madison, Ellison, Ewing, Foy, Henderson, Hobbs, Horton, Lowry, Mebane, Miller, Newell, Osborne, Pettipher, Reynolds, Richardson of Wake, Turner, Waddell, White, and Wynne—32.

THE CALENDAR IS RESUMED.

H. B. 132, a bill to repeal an act to provide a fund for the payment of jurors of Alleghany and Clay counties, being chapter 102, laws of 1876–'77, ratified 16th day of February, 1877, is put on its several readings, and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Foard moves to suspend the rules to take up S. R. 215, previously reconsidered. On a division, the rules are suspended by a vote of 44 ayes and 19 nays. The resolution is read. Mr. Foard moves to reconsider the vote by which the amendment of Mr. Turner was adopted on Saturday. On a division the motion to reconsider is carried by a vote of 51 ayes and 11 nays. And the question then recurs on the motion of Mr. Turner to strike out the words

"without debate." The motion to strike out is put and lost, and then the question is on the adoption of the resolution in its original form, which prevails, and the resolution is ordered to be enrolled for ratification.

THE SPECIAL ORDER,

being H. B. 111, a bill to incorporate the Warm Springs Toll Bridge Company, is announced, and, on motion of Mr. Davis of Madison, the consideration of the bill is still farther postponed, and the bill is made the special order for February 6th, at 12 o'clock.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 178, a bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad company.

It is read the first time in this House, and is referred to to the committee on Internal Improvements.

THE CALENDAR IS RESUMED.

H. B. 145, a bill to amend section 5 of schedule C., of the Revenue Law, it being chapter 156, laws of 1876–'77, is taken up on its 3d reading, and on motion of Mr. Cooke, is referred to the committee on Finance.

H. B. 61, a bill to amend chapter 176, laws of 1873–'74, entitled Crimes and Punishments, on motion of Mr. Vaughan, is laid on the table.

On motion of Mr. Carter of Buncombe, the vote by which S. B. 151, a bill to authorize the collection of taxes in the towns of Salisbury and Goldsboro, had passed its several readings, be reconsidered, to put the bill again on its readings in the mode required by law. Reconsideration is had,

and the bill is again put on its second reading, and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Christmas, Click, Coffield, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Ellison, English, Etheridge, Ewing, Forbes, Foster, Foy, Fulcher, Gatling, Harrell, Henderson, Hewett, Hobbs, Horton, Huffstetler, Jones, Johnson, Leach, Lewis, Lowry, Meares, Mebane, Melson, Miller, Moore, McCorkle, Newell, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Taylor, Turner, Venable, Wheeler, White, Woodhouse, York, and Young—77.

Nays—Mr. Waddell—1.

H. B. 83, a bill to repeal chapter 29 of the public laws of 1876–'77, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 125, a bill to empower J. J. Rae, ex-sheriff and Dempsey Spruill, present sheriff, of Washington county, to collect arrears of taxes, on motion of Mr. Reynolds, is laid on the table.

A MESSAGE IS RECEIVED FROM THE SENATE,

concurring in the proposition of the House to print the Report of the Board of Agriculture, transmitted by the House on Saturday; also informing the House that under a joint resolution of the General Assembly, duly ratified according to law, to raise a joint committee on Federal Relations, Messrs. Scales, Davidson and Eaves are appointed the Senate branch of said committee.

On motion of Mr. Bryson, a message is sent to the Senate

proposing to print the Report of the State Board of Health, which report was transmitted to the Senate on Saturday.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting S. R. 112, a resolution requiring the Secretary of State to furnish certain information; which is read the first time in this House, and placed on the Calendar.

THE CALENDAR

is resumed, and the following bills are laid on the table:

H. B. 147, a bill to provide for a re-assessment of damages when a mill dam is raised, causing the lands to be overflowed, on motion of Mr. Covington;

H. B. 149, a bill to amend Battle's Revisal, chapter 17, section 84, on motion of Mr. Vaughan;

H. B. 151, a bill to amend section 119, chapter 33, Battle's Revisal, on motion of Mr. Lindsay;

H. B. 160, a bill to compel Railroad Companies to provide footways across their bridges, on motion of Mr. Powers;

H. B. 161, a bill to exempt the citizens of Stanly county from the provisions of chapter 141, laws of 1876–'77, as to elections of county commissioners and justices of the peace, on motion of Mr. Foard;

H. B. 153, a bill to change the time of the terms of the Superior Courts of the counties of Gates and Hertford, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 163, a bill to create a Sinking Fund, on motion of Mr. Foard, is referred to the committee on the State Debt.

H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of the Deaf Mutes and the Insane of the State, on motion of Mr. Jones, is ordered to be printed and made special order for Friday next at 12 o'clock.

A MESSAGE FROM THE SENATE

is received, concurring in the proposition of the House to print the report of the Board of Health of the State, transmitted to the Generol Assembly by his Excellency, the Governor.

The announcement of the following committee on Subordinates of each House is made on the part of the House: Messrs. Vaughan and Bryson.

THE CALENDAR IS RESUMED.

H. B. —, a bill in relation to the trial of civil cases in the Superior Courts of the State, is put on its second reading, and fails to pass.

H. B. 184, a bill to establish the State line between the county of Macon, in North Carolina, and the county of Rabun, in Georgia, is put on its second reading, and passes; and is put on its third reading; and then, on motion of Mr. Vaughan, is recommitted to the Judiciary Committee.

H. B. 187, a bill declaratory of the meaning of an act entitled "an act in relation to the probate of deeds and the privy examination of married women," being chapter 161, laws of 1876–'77, is put on its several readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

H. B. 192, a bill to keep the roads of Jones county in good order, on motion of Mr. Foy, is recommitted to the committee on Railroads, Post-roads, and Turnpikes.

H. B. 193, a bill to exempt firemen from the poll tax, on motion of Mr. Bizzell, is laid on the table.

H. B. 198, a bill to render jurors who have cases on the civil or criminal docket competent to serve as jurors, repealing section 229*g*, of chapter 17, Battle's Revisal, is, on motion of Mr. Brown of Mecklenburg, laid on the table.

H. B. 202, a bill concerning public officers, is put on its second reading. Mr. Burroughs moves to lay the bill on the table. On this motion, Mr. Ellison calls for the ayes and nays. The call is sustained and the bill is laid on the table by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Bonner, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Fulcher, Gatling, Harrell, Hewett, Hines, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Meares, Mebane, Miller, Moore, McCorkle, McLean, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Taylor, Turner, Vaughan, Wheeler, Woodhouse, York, and Young—65.

Nays—Messrs. Bateman, Battle, Bird, Blaisdell, Blalock, Blocker, Brown of Yadkin, Cale, Christmas, Davis of Madison, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Horton, Lowry, Melson, Newell, Osborne, Pettipher, Reynolds, Scott, Venable, Waddell, White, and Wynne—29.

And on motion of Mr. Bingham, the House adjourns until to-morrow morning at 10 o'clock.

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, January 28, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Norman, of the city.

The Journal of yesterday stands as approved.

INTRODUCTION OF MEMORIALS, &C.

By Mr. Bateman, a petition from many citizens of Washington county, asking that certain powers of the school committees be restrained in certain cases, which is referred to the committee on Education.

LEAVES OF ABSENCE.

On motion of Mr. Atkinson, leave of absence is granted for to-day to the gentlemen composing the committee on Retrenchment and Reform, to enable them to prosecute the objects of their appointment.

Leave of absence is granted to Mr. Gatling for one week from and after to-morrow; to Mr. Woodhouse for one week from and after to morrow; to Mr. Leach from to-day until Tuesday next; to Mr. White from to morrow until Friday of next week; and to Mr. Forbes for one week from and after to-morrow.

Mr. Reid of McDowell, is announced as detained by sickness from his seat in the House to-day.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the committee on Finance, reports unfavorably on H. B. 156, a bill to allow the Tax Collector of the town of Concord, Cabarrus county, to collect arrears of taxes.

Mr. Orchard, from the committee on Corporations, reports favorably on

S. B. 91, H. B. 279, a bill to incorporate Brevard's Station, Gaston county; on

H. B. 309, a bill to incorporate the town of Highlands, Macon county; on

H. B. 308, a bill to amend chapter 45, laws of 1873-'74; on

H. B. 267, a bill to incorporate the town of Newton Grove, Sampson county; and on

H. B. 314, a bill to incorporate Marvin Camp Ground, Caldwell county, recommending its passage with the adoption of accompanying amendments.

Mr. Leatherwood, from the committee on Railroads, Post-roads, &c., reports unfavorably on

H. B. 306, a bill to amend chapter 104, section 2, Battle's Revisal, in regard to roads, ferries and bridges.

Mr. Powers, from the committee on Propositions and Grievances, reports favorably on

H. B. 322, a bill to repeal chapter 160, laws of 1873-'74; on

H. B. 233, a bill for the relief of the blind, recommending its passage with the adoption of accompanying amendments; likewise on

H. B. 296, a bill to punish treasurers of benevolent and religious institutions who apply the moneys of such institutions to their own use; on

H. R 78, a resolution in regard to lunatics and cripples, asking to be discharged from its further consideration; on

The petition of citizens of Watauga county, in regard to the repeal of the seal tax, reporting that the passage of an act in regard to this matter superseded the necessity of action in conformity with the petition.

Mr. Carter of Buncombe, from the Judiciary Committee, reports favorably on

H. B. 9, a bill for the relief of jurors in the county of Wilkes.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 36, H. B. 166, a bill to allow defendants in certain criminal actions to become witnesses for themselves; on

H. B. 78, a bill to exempt the Clerk of the Superior Court of Watauga county from the provisions of chapter 136,

sections 1 and 2, laws 1871–'72, and recommending its passage, with the adoption of an accompanying amendment; and a similar report on

S. B. 26, H. B. 167, a bill to punish the abduction of children under the age of 18 years; on

S. B. 154, H. B. 300, a bill to amend section 25, chapter 275, laws of 1876–'77, recommending its reference to the committee on Privileges and Elections; and unfavorably on

H. B. 212, a bill respecting the collection of railroad taxes in Forsythe county; on

H. B. 177, a bill to amend sections 5 and 15, chapter 84, Battle's Revisal; on

H. B. 190, a bill to define the duties of justices of the peace; on

H. R. 48, a resolution of instruction to the committee in regard to the establishment of one or more Criminal Circuits; on

H. B. 90, a bill to alter section 2, Article 6, of the Constitution; on

H. B. 80, a bill to amend chapter 287, laws of 1876–'77; on

H. B. 72, a bill to repeal part of chapter 161, laws of 1876–'77, relating to the probate of deeds, &c.; on

H. B. 75, a bill to amend chapter 287, laws of 1876–77; on

H. B. 54, a bill to amend chapter 32, Battle's Revisal; on

S. B. 35, H. B. 171, a bill in regard to practice in criminal actions; and on

S. B. 180, H. B. 301, a bill to regulate the length of the sessions of the grand juries of the several courts of the State.

Mr. Covington, from the committee on the Ridings of the Judges, reports favorably on

H. B. 15, a bill to amend chapter 255, laws of 1876–'77, in regard to dividing the State into nine judicial districts.

Mr. Covington, from the committee on Printing, reports favorably on

H. R. 97, a resolution in favor of John S. Hampton.

Mr. Carson, from the committee on Enrolled Bills, reports the following bills and resolutions to have been correctly enrolled, and they are duly ratified by the Speaker of this House:

An act to empower the foreman of grand juries to administer oaths and affirmations;

A resolution in relation to justices of the peace;

An act for the relief of Benj. F. Bullock, late sheriff of Granville county;

An act to establish a public ferry in the counties of Montgomery and Stanley;

An act to provide for the holding of the Superior Courts successively by the Judges of said Courts;

Resolution in regard to subordinates in each House; and

Resolution in regard to purchasing maps for the use of the Legislature.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. York, a resolution of instruction to the North Carolina delegation in Congress in regard to monetary matters;

By Mr. Turner, a resolution concerning the hour of meeting and adjourning of the House; and

By Mr. Turner, a resolution exposing new tricks of the Ring.

The following resolutions are introduced and referred to the committee on Salaries and Fees:

By Mr. Bost, a resolution concerning the salaries of superintendents of convicts on public works and the amounts allowed for feeding the same; and

By Mr. Woodhouse, a resolution in favor of the Engrossing and Enrolling Clerks of the General Assembly.

INTRODUCTION OF BILLS.

By Mr. Harrell, a bill to reduce the fees of county officers, which is referred to the committee on Salaries and Fees.

The following are referred to the committee on the Judiciary:

By Mr. Ferrell, a bill regarding private prosecutions;

By Mr. Davis of Catawba, a bill to make the carrying of concealed weapons a misdemeanor;

By Mr. Ellison, a bill to amend the laws of procedure in bastardy cases;

By Mr. Brown of Mecklenburg, a bill concerning the bonds to be given by sheriffs; and

By Mr. Covington, a bill to more effectually punish horse stealing.

By Mr. Council, a bill to elect a road surveyor for Watauga county; and

By Mr. Reid of Macon, a bill to allow the Rabun Gap Short Line Railway Company to use 50 convicts; both of which are referred to the committee on Internal Improvements.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Scott, a bill in regard to public wharfs and depots;

By Mr. Angier, a bill to restore to Justices of the Peace jurisdiction in certain cases; and

By Mr. Lutterloh, a bill to repeal chapter 19, private laws of 1871–'72.

By Mr. Vaughan, a bill to provide for the completion of the Marion & Asheville and Bakersville & Sparta turnpike roads, and providing convict labor for the work on said roads; and

By Mr. Davis of Haywood, a bill to amend an act of

1854–'55, and previous acts to which it refers; both of which are referred to the committee on Roads.

By Mr. Richardson of Columbus, a bill to incorporate Rising Hope Lodge, No. 1800, G. U. O. F.; and

By Mr. Davis of Haywood, a bill to amend chapter 72, private law of 1874–'75; both of which are referred to the committee on Corporations.

By Mr. Lindsay, a bill to regulate the expenditures of the Agricultural Department; and

By Mr. Bateman, a bill amendatory of the act to establish a Department of Agriculture, Immigration and Statistics; both of which are referred to the committee on Agriculture.

By Mr. Hobbs, a bill for the relief of the sureties of the late sheriff of Chowan county; and

By Mr. Dunn, a bill to authorize the commissioners of Lenoir county to levy a special tax; both of which are referred to the committee on Finance.

THE MORNING HOUR

having expired, Mr. Jones rises to a question of personal privilege in regard to an error in the *Observer* newspaper in regard to certain reports of yesterday's proceedings published in that journal.

THE CALENDAR

is taken up, and

S. B. 151, a bill to authorize the collection of taxes due the towns of Salisbury and Goldsboro for the years 1876–'77–'78, is put on its third reading, and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs,

Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Click, Cobb, Coffield, Council, Davis of Catawba, Davis of Haywood, Deans, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Harrell, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Taylor, Turner, Vaughan, White, Wimberly, Woodhouse, York, and Young—89.

Nay—Mr. Waddell—1.

H. B. 320, a bill to incorporate the Charlotte Home and Hospital, and

H. B. 122, a bill to allow the citizens of Jackson and Macon counties mutually to pass through the toll gates of their respective counties, are put on their several readings, and pass, and are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 102, a bill to amend chapter 240 of the laws of 1874–'75, an act to prevent discriminations in freight tariffs by any railroad company operating in this State, is put on its readings. The accompanying amendment is adopted; and the bill as amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 148, a bill to provide for the more speedy trial of criminals, passes its second reading; and on motion of Mr. Cooke, is referred to the committee on the Judiciary.

H. B. 175, a bill to prevent the obstruction of Rockfish and other streams in Duplin county, passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence; and

H. B. 207, a bill to amend chapter 137, section 1, laws of 1873–'74; and

H. B. 209, a bill to prevent the felling of trees in Jonathan's Creek, in Haywood county, pass their several readings, and are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 213, a bill to amend the act to incorporate the town of Mooresville, is put on its second reading. The amendments proposed by the committee are accepted by the introducer of the bill, and as amended, the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

The following bills are laid on the table:

H. B. 204, a bill in relation to public cotton gins, on motion of Mr. Foy;

H. B. 214, a bill to extend the jurisdiction of justices of the peace, on motion of Mr. Anderson;

H. B. 257, a bill to amend chapter 284 of the laws of 1876–'77, concerning the maintenance of lunatics, on motion of Mr. Bernard;

H. B. 239, a bill to reduce the number of grand jurors to twelve members in all the courts of the State, by Mr. Cobb; and

H. R. 66, a resolution appointing a sub-Committee to assist the Joint Select Committee to investigate the affairs of the Western North Carolina Railroad, on motion of Mr. Bost.

H. B. 216, a bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds, on motion of Mr. English, is referred to the committee of Propositions and Grievances.

On motion of Mr. Ellison,

H. R. 100, a resolution asking our Senators and Representatives in Congress to urge an appropriation for the purpose of making Neuse river navigable ta Mill Falls, in the county of Wake, is put on its adoption and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Covington, the rules are suspended, and

H. R. 97, a resolution in favor of John S. Hampton is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 249, a bill to prevent the felling of trees in Tar River from the Granville line to the Falls of Tar River, in Nash county, is put on its passage and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

THE FIRST SPECIAL ORDER

being

H. B. 131, a bill to repeal chapter 65, laws of 1876–'77, entitled an act for the removal of road exemptions in Clay county, is announced and the bill put on its several readings and passes, and is ordered to be engrossed and sent to the Sennte for concurrence.

THE SECOND SPECIAL ORDER

being

S. B. 114, a bill for revising and digesting the Public Statute Laws of the State, is announced.

Mr. Vaughan sends forward the following amendment:

"Amend by striking out all of the first section of the bill down to, and including, the word "Governor," and insert the following: That W. B. Rodman, George N. Folk and John S. Henderson are hereby appointed commissioners."

Mr. Lindsay sends forward the following amendment which is read for the information of the House:

"Amend, two commissioners and one clerk at five hundred dollars per annum."

Mr. Powers sends forward the following amendment:

Strike out the word "Governor" and insert "Supreme Court."

The question is on the amendment of Mr. Vaughan.

Mr. Covington sends forward the following amendment to that amendment:

"Amend by striking out the names, and insert 'General Assembly,' with the intent that the General Assembly, instead of the Governor, elect the three commissioners."

After discussion, Mr. Vaughan demands the previous question on the amendment offered by him. The call is sustained, and the main question is put. The question then recurs on the amendment of Mr. Covington which is rejected, and is then put on the amendment of Mr. Vaughan which on a division is lost. Ayes 44. Nays 49.

The question is then put on the amendment of Mr. Lind say, which is lost; and then on the amendment of Mr. Powers, which is also lost; and then the question is put on the passage of the bill on its second reading, which, on a division, passes, ayes 49, nays 46.

Mr. Cooke moved to suspend the rules to put the bill on its third reading. On this motion, Mr. Bingham demands the ayes and nays. The call is sustained, and the House refuses to suspend the rules by the following vote:

Ayes.—Messrs. Amis, Anderson, Angier, Armstrong, Bateman, Bernard, Berry, Blalock, Bonner, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Yancey, Carroll, Chadwick, Coffield, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, English, Ewing, Foard, Forbes, Harrell, Hewett, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Meares, Mebane, Melson, Moore, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Ritchey, Smith, Taylor, Wheeler, Woodhouse, and Young—53.

Nays.—Messrs. Barringer, Battle, Bingham, Bird, Bizzell, Blaisdell, Bost, Brown of Yadkin, Bruce, Carter of Warren, Carson, Cary, Christmas, Click, Cobb, Council, Davis of Madison, Deans, Dunn, Ellison, Ferrell, Foster, Foy, Fulcher, Henderson, Hines, Hobbs, Horton, Lindsay, Lowry, Lutterloh, Miller, Newell, Osborne, Pettipher, Reynolds, Richardson of Columbus, Richardson of Wake, Scott, Tur-

ner, Vaughan, Waddell, White, Wimberly, and Wynne—45.

On motion of Mr. Covington,

H. B. 15, a bill to amend chapter 255 of the acts of 1876–'77, entitled an act to divide the State into nine Judicial Districts, is put on its several readings, and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

A MESSAGE FROM THE GOVERNOR

is received, laying his resignation as Governor of North Carolina before the General Assembly, to take effect on Wednesday, the 5th day of February.

Mr. Jones moves to transmit the message to the Senate with a proposition to print one thousand copies; and it is so ordered by the House.

A MESSAGE FROM THE SENATE

is announced, covering a communication from his Excellency the Governor, with the report of the commission appointed to provide a suitable mansion for the Governor of the State, with a proposition to print.

The House, on motion, concurs in the proposition of the Senate, and a message to that effect is ordered to be transmitted to the Senate.

A MESSAGE FROM THE SENATE

is also announced, transmitting

S. B. 201, a bill to repeal section 29, chapter 6, Battle's Revisal, which is read the first time in this House, and referred to the committee on the Insane Asylum.

A MESSAGE FROM THE SENATE

is also announced, transmitting

S. B. 117, a bill concerning streams used to propel machinery; which is read the first time in this House, and referred to the committee on Agriculture, Mechanics and Mining.

The meetings of the various committees for this afternoon are announced; and, on motion of Mr. Mebane, the House adjourns until to-morrow morning at 10 o'clock.

NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Jan. 29th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is partly read and stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced, and referred to the committee on Propositions and Grievances:

By Mr. Oliver, a petition from sundry citizens of Robeson county, praying the prohibition of the selling, giving or using intoxicating liquors within three miles of Lumber Bridge and Providence Churches in said county;

By Mr. Henderson, a bill to prohibit the sale of spirituous liquors within three miles of Philadelphia Church, in the county of Richmond;

By Mr. Barringer, a petition by certain citizens of Rowan county praying for the non-corporation of Christ's Church and vicinity;

By Mr. Powers, a petition from sundry citizens and ladies

of Shelby, Cleaveland county, praying that the local option law affecting that place be not altered or repealed;

By Mr. Click, a petition from many citizens of Shepherd's Depot, in Iredell county, to prohibit the sale of spirituous liquors within two miles of that place.

By Mr Powers, a petition of citizens of Shelby, praying for the repeal of the local option law affecting that place;

By Mr. Cooke, a petition from citizens of Scotland Neck, Halifax county, in relation to the prohibition law there;

By Mr. Smith, a petition to incorporate the Methodist and Presbyterian Churches in Lexington;

By Mr. Powers, a petition from citizens of Shelby, praying that the prohibition law now in force in that place be allowed to remain as it is; and

By Mr. Angier, a petition to prohibit the sale of spirituous liquors within two miles of Belvin Church, Orange county.

The following are referred to the committee on Finance:

By Mr. Cooke, a petition from citizens of Halifax asking for an amendment of the law on the subject of licensing liquor dealers; and

By Mr. Ewing, a petition to secure the poll tax of tenants and regular hands.

The following to the committee on Agriculture:

By Mr. Barringer, a petition of sundry citizens of Unity Township, in Rowan county, in opposition to the stock law and

By Mr. Bost, a petition of citizens of Unity Township, Rowan county, asking the paseage of a stock law.

To the committee on Education:

By Mr. Barringer, a petition of John Lingler of Rowan county, to raise the school fund from 80 cents to $1 per annum, per scholar.

The following to the committee on Corporations:

By Mr. Armstrong, a petition from citizens of Pender coun-

ty, asking that Burgaw, the county seat, may be incorporated.

And the following to the committee on election of Justices of the Peace:

By Mr. Richardson of Columbus, a petition of certain citizens of Welch's Creek township, Columbus county, asking this General Assembly to appoint B. M. Spaulding Justice of the Peace for said township;

By Mr. Hewett, a petition from sundry citizens of Onslow county, asking the appointment of J. D. Congleton as Justice of the Peace for Stump Sound township; and

By Mr. Norment, a petition on the election of Magistrates.

LEAVES OF ABSENCE.

Indefinite leave of absence is granted to Mr. McCorkle on account of sickness in his family.

Leave of absence is granted to Mr. Blaisdell for one week from and after to-morrow.

On motion of Mr. Jones, the use of this Hall is granted for to-morrow night to the Hon. K. P. Battle for the purpose of a lecture on subjects connected with the University of North Carolina.

REPORTS OF COMMITTEES.

Mr. Cobb, from the committee on the Judicary, reports favorably on H. B. 325, a bill to make the carrying of concealed weapons a misdemeanor, and unfavorably on

H. B. 191, a bill to amend chapter 104, laws of 1876–'77.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. B. 341, a bill to authorize commissioners of Lenoir county to levy a special tax, and unfavorably on

H. B. 263, a bill to raise a special finance committee for Onslow county; on

H. B. 127, a bill to relieve merchants and traders in certain cases; on

H. B. 120, a bill to indemnify Mitchell county; on

H. B. 208, a bill for the relief of S. C. Welch, sheriff of Yadkin county; on

H. B. 206, a bill to list taxable property in any county in the township where the owner or his agent resides; on

H. B. 215, a bill in favor of Madison county; on

H. B. 340, a bill for the relief of the surities of the late sheriff of Chowan county; on

H. B. 36, a bill in regard to listing property; and on

H. B. 244, a bill for the relief of Z. F. Long; and recommending the reference of H. B. 213, a bill to compel parties holding old notes and judgments to pay back taxes thereon, to the committee on the Judiciary.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

H. B. 25, a bill to protect game in Union county; on

H. B. 310, a bill for the better protection of wild fowl in Carteret county; and unfavorably on

H. B. 317, a bill concerning vaccination; on

H. B. 216, a bill extending the powers of grand juries; on

H. B. 333, a bill to repeal chapter 14, laws of 1871–'72; and on

H. B. 194, a bill to amend chapter 239, laws of 1874–'75.

Mr. Orchard, from the committee on Banks and Currency, recommends the passage of

H. B. 43, a bill to incorporate the Bank of Asheville, with the adoption of accompanying amendments.

Mr. Jones, from the committee on Corporations, reports on

H. B. 183, a bill for the better drainage of the lowlands of Silver Creek, Burke county, recommending its reference to the committee on Agriculture; and favorably on

H. B. 256, a bill to extend the corporate limits of the town of Elizabeth City; on

H. B. 254, a bill to amend chapter 107, laws of 1874–'75; on

H. B. 336, a bill to incorporate Rising Hope Lodge, No. 1800, G. U. O. of Odd-Fellows; on

H. B. 337, a bill to amend chapter 72, private laws of 1874–'75; on

H. B. 246, a bill to amend and consolidate the charter of the Great Falls Manufacturing Company, Rockingham, Richmond county, recommending its passage with the adoption of accompanying amendments, and on

H. B. 45, a bill to charter the Louisburg and Nashville Branch of the Wilmington and Weldon Railroad, recommending the adoption of a substitute and then its passage.

Mr. Coffield, from the committee on Internal Improvements, reports favorably on

H. B. 329, a bill to elect a Road Surveyor for Watauga county.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 39, H. B. 221, a bill in relation to judgments on appeals from justices of the peace; and unfavorably on

H. B. 291, a bill to amend section 5, Article 5, of the Constitution of North Carolina; on

H. B. 292, a bill to amend sections 3 and 4, chapter 80, Battle's Revisal; and on

H. B. 295, a bill to amend sections 10 and 11, chapter 16, Battle's Revisal.

Mr. Carson, from the committee on Enrolled Bills, reports the following bill to have been correctly enrolled:

An act to authorize the collection of arrears of taxes due the towns of Salisbury and Goldsboro, for the years 1876–'77–'78.

Mr. English, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 153, a bill to be entitled an act to change the time of the terms of the Superior Courts of the counties of Gates and Hertford.

H. B. 83, a bill to be entitled an act to repeal chapter 29, laws of 1876–'77.

H. B. 132, a bill to be entitled an act to provide a fund for the payment of jurors of Alleghany and Clay counties.

H. B. 251, a bill to be entitled an act to incorporate the town of Davidson College in the county of Mecklenburg.

H. B. 187, a bill to be entitled an act declaratory of the meaning of an act in relation to the probate of deeds and the privy examination of married women, &c.

INTRODUCTION OF RESOLUTIONS.

By Mr. Blaisdell, a resolution in regard to the report of the Albemarle and Chesapeake Canal Company;

By Mr. Wynne, a resolution of instruction to the committee on Fish Interest, both of which are placed on the Calendar.

By Mr. Orchard, a resolution in favor of Cabarrus county in regard to lunatics, which is referred to the committee on the Insane Asylum.

INTRODUCTION OF BILLS.

By Mr. Anderson, a bill to amend chapter 255, laws of 1876–'77, to give Cherokee county two weeks in the Superior Court, which is placed on the Calendar.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Bernard, a bill to repeal chapter 9, Battle's Revisal;

By Mr. Taylor, a bill to prevent the felling of timber in Contentnea Creek;

By Mr. Davis of Catawba, a bill to prohibit the sale of

intoxicating liquors within three miles of Concordia High School, in the town of Conover, Catawba county;

By Mr. Angier, a bill to prohibit the sale of spirituous liquors within two miles of Belvin Church, Orange county; and

By Mr. Cooke, a bill to amend the act to prohibit the sale of liquor in certain localities, so far as the same refers to Zion Hill Baptist Church, Halifax county.

The following bills are introduced and referred to the committee on Agriculture, &c.:

By Mr. Roberson, a billto authorize justices of the peace and three disinterested persons to condemn land for the cutting of canals and ditches;

By Mr. Scott, a bill for the relief of farmers;

By Mr. Lindsay, a bill to organize sub-agencies for the Agricultural Department; and

By Mr. Colwell, a bill for the relief of certain citizens of New Hanover, Union and Hertford counties.

The following bills are referred to the committee on Internal Improvements:

By Mr. Moore, a bill to aid the completion of the Seaboard and Raleigh Railroad by convict labor;

By Mr. Lamb, a bill to canal Angola Bay in Duplin and Pender counties; and

By Mr. Foy, a bill to incorporate the White Oak River Improvement Company.

By Mr. Smith, a bill to incorporate the Methodist and Presbyterian churches in Covington, Davidson county, which is referred to the committee on Corporations.

By Mr. Lindsay, a bill to protect the State's interest in public works, which is referred to the committee on Railroads, Post-roads, &c.

By Mr. Amis, a bill to protect sheep and raise revenue for the support of public schools, which is referred to the committee on Education.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Roberson, a bill to allow constables of towns and cities to serve civil warrants;

By Mr. Roberson, a bill to extend the power of mayors of towns and cities to try all civil cases that a justice of the peace has jurisdiction over;

By Mr. Brown of Yadkin, a bill for the relief of B. F. Jones, ex-sheriff of Yadkin county;

By Mr. Cooke, a bill to allow suits by or in behalf of infants to be prosecuted without payment of fees in advance, and without giving security for costs;

By Mr. Davis of Catawba, a bill for the relief of the sureties of Jonas Cline, late sheriff of Catawba county; and

By Mr. Scott, a bill to re-enact chapter 227, laws of 1876–'77.

THE CALENDAR

is taken up, and

H. B. 9, a bill for the relief of the jurors of the county of Wilkes is put upon its readings; the amendments suggested by the committee are adopted, and the bill as amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

The following are put upon their readings, and tabled:

H. B. 54, a bill to amend chapter 32 Battle's Revisal, on motion of Mr. Bernard;

H. B. 72, a bill to repeal part of chapter 161, laws of 1876–'77, relating to the probate of deeds, conveyances, &c., on motion of Mr. Lockhart;

H. B. 75, a bill to amend chapter 287, laws of 1876–'77, on motion of Mr. Carter, of Buncombe; and

H. B. 80, a bill to amend chapter 287, laws of 1876–'77, an act to allot and distribute the judicial powers of the State.

H. B. 78, a bill to exempt the Clerk of the Superior Court

of Watauga county from the provisions of chapter 136, laws of 1871–'72, is put upon its readings, and on motion of Mr. Richardson, of Columbus, is referred back to the committee on the Judiciary.

The following announcement of committees is made:

House Branch of the Committee on Federal Relations:—Messrs. Carter of Buncombe, Cobb, Rawley, Clarke and Deans.

House Branch of the Committee on the Election of Justices of the Peace:—Messrs. Lewis, Bryson, Covington, Carroll, Moore, Blaisdell, Norment and Waddell.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate had transmitted engrossed copy of H. B. 49, a bill to incorporate Payne's Benevolent Society of Rutherford county,

Which is read the first time in this House and placed upon the Calendar.

A MESSAGE FROM THE SENATE

is also announced, informing the House that the Senate had refused to concur in the proposition of the House to print one thousand copies of the letter of the Governor containing the resignation of his office to the General Assembly.

On motion of Mr. Norment, the House recedes from its proposition; and a message to that effect is transmitted to the Senate; and also a message communicating the appointments of the House on the committee on the election of Justices of the Peace.

A MESSAGE FROM THE SENATE

is also announced, transmitting

S. B. 220, a bill for the protection of deer; and

S. B. 50, a bill to prohibit the removal of cases except when the ends of justice absolutely require it.

They were read the first time in this House, and S. B. 220 is referred to the committee on Propositions and Grievances, and S. B. 50 to the committee on the Judiciary.

On motion to Mr. Blaisdell,

H. R. 80, a resolution in regard to the Chesapeake and Albemarle Canal Company, is put upon its readings and adopted, and is ordered to be engrossed.

S. R. 112, a resolution requiring the Secretary of State to furnish certain information, is put upon its readings, and adopted, and is ordered to be enrolled for ratification.

S. B. 14, a bill for revising and digesting the Public Statute laws of the State, is put upon its third reading.

Mr. Vaughan offers the following amendment:

"Amend by striking out all of section first of the Senate bill down to and including the word "Governor," and insert the following: "Be, and they are hereby appointed Commissers."

Upon the adoption of the amendment, Mr. Vaughan demands the previous question, but withdraws it to admit discussion; then subsequently renews the call, which on a division is sustained by a vote of 52 ayes and 20 nays; and the main question is then put. The question is then put on the amendment of Mr. Vaughan, upon the adoption of which Mr. Vaughan demands the ayes and nays. The call is sustained, and the amendment rejected by the following vote:

Ayes—Messrs. Atkinson, Bateman, Battle, Berry, Bingham, Bird, Blaisdell, Blalock, Blocker, Bost, Brown of Yadkin, Bruce, Cale, Carter of Warren, Carter of Yancey, Carson, Chadwick, Christmas, Click, Council, Davis of Madson, Deans, Dixon, Dunn, Ellison, Foster, Foy, Henderson, Hobbs, Horton, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Pettipher, Reid of Macon, Reid of McDowell, Rey-

nolds, Scott, Turner, Vaughan, Venable, Waddell, Wimberly, Wynne, and York—48.

Nays—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Bernard, Bizzell, Bonner, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carroll, Cary, Cobb, Coffield, Colwell, Cooke, Davis of Haywood, English, Etheridge, Ewing, Ferrell, Foard, Fulcher, Hewett, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Moore, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Wheeler, and Young—54.

Mr. York sends forward the following amendment:

"The General Assembly of North Carolina shall elect."

Mr. Powers sends forward the following:

Amend by striking out the word "Governor," and inserting "Supreme Court."

Mr. Carter sends the following:

"Strike out section 4."

On the passage of the bill on its third reading, Mr. Cooke demanded the previous question. The call is sustained, and main question put.

Under previous notice given, the following amendments are offered:

By Mr. Atkinson:

"*Provided*, That there shall be no moneys drawn from the public treasury for any work or printing done under this act until the next Legislature shall authorize the same."

By Mr. Norment:

Amend by inserting the following section:

"That within sixty days after the completion of the codifying of the laws, that the fees of all the justices of the peace, clerks of the superior courts and lawyers, shall cease until they purchase a copy of said laws."

By Mr. Turner:

Strike out "commissioners" wherever it occurs and insert "commissioner."

The question is then put on the amendment of Mr. York, and, on a division, it is adopted by a vote of ayes 54, nays 45.

The amendment of Mr. Powers is ruled out of order, being made inadmissible by the adoption of the amendment of Mr. York.

The question is put on the amendment of Mr. Carter of Buncombe, and, on a division, it is rejected by a vote of ayes 32, nays 55.

The amendment of Mr. Atkinson is adopted, on a division, by a vote of ayes 44, nays 43.

On Mr. Norment's amendment, on a division, there are 63 ayes, and it is declared adopted.

The amendment of Mr. Turner is rejected.

And then the question is put upon the passage of the bill on its third reading. Mr. Coffield demands the ayes and nays. The call is sustained, and the bill fails to pass by the following vote:

Ayes.—Messrs. Blaisdell, Blocker, Bost, Brown of Yadkin, Bruce, Carter of Buncombe, Cobb, Deans, Etheridge, Ewing, Foard, Horton, Lindsay, Lockhart, Lowry, Lutterloh, Newell, Norment, Osborne, Pettipher, Rawley, Reid of McDowell, and Waddell—23.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Dixon, Dunn, Ellison, English, Ferrell, Foster, Foy, Fulcher, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Meares, Mebane, Melson, Miller, Moore, McLean, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Rober-

son, Scott, Smith, Taylor, Turner, Vaughan, Venable, Wheeler, Wimberly, Wynne, York, and Young—80.

Mr. Cooke moved to reconsider the vote by which the bill failed to pass, and moved to enter the motion to reconsider on the Journal of the House; and it is so ordered by the House.

The announcement of the meetings of committees is made.

Mr. Holt moves to adjourn; and on a division the motion prevails, and the House is declared adjourned until to-morrow morning at 10 o'clock.

TWENTIETH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Jan. 30, 1879.

The House meets to-day at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Black, of the city.

The Journal of yesterday is partly read, and stands as approved.

INTRODUCTION OF MEMORIALS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Covington, a memorial from sundry citizens of Union county, praying for the prohibition of the sale of spirituous liquors within three miles of Union Methodist Church, in Sandy Ridge township;

By Mr. Click, a petition of sundry citizens of Iredell county to prohibit the sale of spirituous liquors within one-half mile of McKendree's Chapel and Morrow's Chapel in said county, and to incorporate the same;

By Mr. Lockhart, a petition of citizens of Anson county, asking for the prohibition of the sale of liquor within three miles of Savannah Creek Methodist Church;

By Mr. Lowrey, a petition for the protection of home manufacturers; and

By Mr. Cooke, a petition of the citizens of Ridgeway, in the county of Warren, praying for a renewal of charter.

The following are referred to the joint committee on the election of Justices of the Peace:

By Mr. Reid of McDowell, a petition from sundry citizens of McDowell county, asking for the appointment of Joseph P. Mace as a justice of the peace;

By Mr. Burroughs, a petition from citizens of Granville county, asking for the appointment of R. A. Jenkins as justice of the peace for Townsville township;

By Mr. Reid of McDowell, from citizens of McDowell county, asking the appointment of John C. Swan as a justice of the peace;

By Mr. Amis, a memorial from citizens of Granville county, asking the appointment of M. S. Daniel as a justice of the peace for said county;

By Mr. Colwell, a petition of citizens of Faison's township, Duplin county, in relation to the appointment of magistrates for said township;

By Mr. Oliver, a petition of citizens of Robeson county, asking the appointment of Mr. Price as justice of the peace for Thompson's township; and

By Mr. Dunn, a petition from citizens of Woodington township, Lenoir county, asking the appointment of Jesse Jackson as a justice of the peace.

The following are referred to the committee on the Fish Interests:

By Mr. Clarke, a petition from 200 voters of Craven county; another from 250 citizens of Craven county; and another from 150 voters of the same county, all protesting against the passage of the fish law, relating to Neuse River.

The following to the committee on Internal Improvements:

By Mr. Carson, a petition from citizens of Alexander county, in opposition to a no-fence law;

By Mr. Barringer, a petition from some sixty citizens of Rowan county for a stock law; and

By Mr. Henderson, a petition to prevent the running of trains on the Sabbath day.

By Mr. Robertson, a petition from colored citizens of Martin county, asking for redress in the public school, in regard to school committees, which is referred to the committee on Education.

By Mr. Taylor, a petition of Justices of the Peace of Wilson county, praying for the enlargement of the powers of Justices in criminal cases, which is referred to the committee on the Judiciary; and

By Mr. Orchard, a petition from citizens of Cabarrus county, to incorporate Bethphage Church, No. 3 township, which is referred to the committee on Corporations.

LEAVES OF ABSENCE, &C.

Mr. Davis of Madison, is announced as detained from his seat in the House to-day by sickness.

Indefinite leave is granted to Mr. Richardson of Wake, on account of sickness in his family.

Leave of absence is granted to Mr. Taylor from to-morrow until Tuesday next; to Mr. Brown of Mecklenburg, to the same time; to Mr. Lindsay for the same time; and to Mr. Battle for the same time; to Mr. Atkinson for one week, on account of sickness in his family; to Mr. Reid of McDowell, for the same time and for the same cause; to Mr. Hewett for to-day on account of sickness; and to Mr. Chadwick from to-morrow until Wednesday next.

REPORTS OF COMMITTEES.

Mr. Cobb, from the committee on Privileges and Elections, reports unfavorably on

H. B. 321, a bill to regulate elections.

Mr. McLean, from the committee on Education, reports favorably on

H. B. 262, a bill to continue in force the act to establish normal schools and for the purpose of extending its benefits to females.

Mr. Colwell, from the committee on Agriculture, reports favorably on

H. B. 352, a bill for the relief of certain citizens of the counties of New Hanover, Union and Hertford.

Mr. Ardrey, from the committee on Agriculture, reports favorably on

H. B. 304, a bill for the drainage of lands on Muddy Creek, McDowell county; and on

S. B. 117, H. B. 343, a bill concerning streams used to propel machinery.

Mr. Blocker, from the committee on Railroads, &c., reports favorably on

H. B. 334, a bill to provide for the completion of the Marion and Asheville and Bakersville and Sparta turnpike roads, and providing convict labor for work on the said roads.

Mr. Armstrong, from the committee on Propositions and Grievances, recommends that the petitions of citizen of Wayne, Duplin, Lenoir and Greene counties in regard to shad fishing in Neuse River, be referred to the committee on Fish Interest.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

H. B. 348, a bill to amend the act prohibiting the sale of liquor within certain localities, it being chapter 260, laws of

1876–'77, so far as the same relates to Zion Hill Baptist Church, Halifax county; and on

H. B. 331, a bill in regard to public wharfs and depots; and favorably, with amendment, on

H. B. 253, a bill to prevent the selling or giving away of spirituous liquors at political speakings; and unfavorably on

H. B. 271, a bill to repeal the prohibition of the sale of liquor near Zion Baptist church, Halifax county; and on

H. B. 238, a bill for the relief of persons wrongfully imprisoned; also on

H. B. 344, a bill to repeal chapter 9, Battle's Revisal, "bastard children."

Mr. Cooke, from the committee on the Judiciary, reports favorably, with amendment,

S. B. 25, H. B. 170, a bill to make slander of women indictable; and unfavorably on

H. B. 324, regarding private prosecution.

Mr. Carter of Buncombe, from the committee on the Juciary, reports unfavorably on

H. B. 40, a bill to enlarge and define the jurisdiction of justices of the peace.

Mr. English, from the committee on Engrossed Bills, reports the following bills and resolutions to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 320, a bill to be entitled an act to incorporate the Charlotte Home and Hospital.

H. B. 104, a bill to be entitled an act to amend chapter 240, laws of 1874–'75, of an act entitled an act to prevent discrimination in freight tariffs by railroads;

H. B. 209, a bill to be entitled an act to prevent the felling of timber in Jonathan's Creek in the county of Haywood;

H. B. 175, a bill to be entitled an act to prevent the obstruction of Rockfish and other streams in Duplin county;

H. B. 207, a bill to be entitled an act to amend chapter 137, section 1, laws of 1873–'74;

H. B. 131, a bill to be entitled an act to repeal chapter 65, laws of 1876–'77, entitled an act for the removal of road exemptions in Clay county;

H. B. 249, a bill to be entitled an act to prevent the felling of trees in Tar river from the Granville line to the falls of Tar river in the county of Nash;

H. B. 15, a bill to be entitled an act to amend chapter 255 of the acts of 1876–'77, entitled an act to divide the State into nine Judicial Districts;

H. B. 122, a bill to be entitled an act to allow the citizens of Jackson county to pass through the toll gates of Macon county free of toll, also to allow the citizens of Macon county to pass through the toll gates of Jackson free of charge;

H. B. 213, a bill to be entitled an act to amend the charter of the town of Mooresville, Iredell county;

H. R. 97, resolution in favor of John S. Hampton; and

H. R. 100, resolution asking our Senators and Representatives in the Congress of the United States to urge an appropriation for the purpose of making Neuse river navigable to Mills Falls, in Wake county.

The following bills and resolutions are reported as correctly enrolled by the committee on Enrolled Bills, and are duly ratified and transmitted to the Senate:

A resolution to pay Senators Waddell and Everett for service on State Board of Canvassers;

An act to amend section 1, chapter 104, public laws of 1873–'74, in relation to shooting and seining mountain trout in the waters of Elk river and its tributaries, in the counties of Mitchell and Watauga; and

A resolution requiring the Secretary of State to furnish certain information.

INTRODUCTION OF RESOLUTIONS.

By Mr. Cary, a resolution concerning the convicts in the State prison, which is referred to the committee on Penal Institutions.

By Mr. Turner, a resolution appointing a committee to wait on Judge Strong and inquire why peculators and plunderers of the State cannot be indicted in his Court; and

By Mr. Brown of Mecklenburg, a resolution in regard to the meeting of this House; both of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Powers, a bill to establish stock regulations in sections that may so elect, which is referred to the committee on Agriculture.

The following bills introduced are referred to the committee on Corporations:

By Mr. Armstrong, a bill to incorporate the town of Burgaw, Pender county;

By Mr. Click, a bill to incorporate McKendree's Chapel, Iredell county, and to prevent the sale of liquors within one-half mile of the same;

By Mr. Click, a bill to incorporate Morrow's Chapel, Iredell county, and prevent the sale of liquor within one-half mile of the same; and

By Mr. Orchard, a bill to incorporate Bethpage Church, Cabarus county.

The following bills are introduced and referred to the committee on Education:

By Mr. McLean, a bill to amend chapter 258, laws of 1876–'77;

By Mr. McLean, a bill to amend chapter 162, laws of 1876–'77; and

By Mr. English, a bill to establish normal schools at Trinity and Davidson Colleges.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Amis, a bill to amend section 3, chapter 80, Battle's Revisal;

By Mr. Norment, a bill for the restoration of persons convicted of felony to the rights of citizenship;

By Mr. Norment, a bill for the equitable relief of certain classes of indebted persons;

By Mr. Deans, a bill to abolish county commissioners in counties where there are Inferior Courts;

By Mr. Miller, a bill to amend section 46, chapter 162, laws of 1876–'77;

By Mr. York, a bill to exempt Ministers of the Gospel from poll tax, working the roads and serving as jurors;

By Mr. Moore, a bill to amend chapter 70, laws of 1874–'75; and

By Mr. Meares, a bill to authorize the commissioners of Brunswick county to submit to the people of that county the question of changing the county seat;

By Mr. Roberson, a bill to prevent the hauling of seins in the waters of the Roanoke river on certain days, which is referred to the committee on Fish Interest.

By Mr. Reid of McDowell, a bill to amend chapter 106, laws of 1876–'77;

By Mr. Clarke, a bill to amend chapter 87, laws of 1876–'77, establishing a chamber of commerce for Newberne; both of which are referred to the committee on Internal Improvements.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Blocker, a bill to protect rafts on Cape Fear river;

By Mr. Turner, a bill to indict attorneys who abuse their trust;

By Mr. Turner, a bill to provide for working all public roads by taxation;

By Mr. Cooke, a bill to provide a government for the town of Ridgeway; and

By Mr. Horton, a bill to prohibit the sale of spirituous liquors within three miles of Mars' Hill Baptist church, Bertie county.

By Mr. Clarke, a bill to amend the charter of the city of Newbern; and

By Mr. Bost, a bill to amend chapter 141, laws of 1876-'77, in relation to the election of county commissioners; both of which are referred to the committee on Counties, Cities, &c.

On motion of Mr. Anderson,

H. B. 358, a bill to protect sheep and raise revenue for the support of public schools, is taken from the Calendar and referred to the committee on the Judiciary.

On motion of Mr. Atkinson,

H. B. 322, a bill to repeal chapter 160, public laws of 1873–'74, is taken up on its several readings.

Mr. Foard moves that the present consideration of the bill be postponed, and the bill be made the special order for next Wednesday at 12 o'clock.

Mr. Christmas sent forward an amendment in the nature of a substitute which the Speaker ruled as out of order, not being germane to the subject before the House.

Mr. Carter of Buncombe, submits the following amendment:

"*Provided*, that this act shall not be construed to prevent the Governor from employing counsel when, in his judgment, it is necessary to represent the interests of the State in any Court not in the jurisdiction of North Carolina; nor in any case in the State, when, in the judgment of the Attorney General, additional counsel is necessary to protect the State's interests."

The bill is discussed until the hour of the

SPECIAL ORDER

is announced, being

H. B. 89, a bill to amend section 11 of the Constitution, in regard to crimes and punishments.

On motion of Mr. Atkinson, the consideration of the special order is postponed for half an hour or until the matter before the House is disposed of.

The question is then on the motion of Mr. Foard to postpone the consideration of the bill until Wednesday next at 12 o'clock, and on that motion, Mr. Norment demands the ayes and nays. The call is sustained, and the House refuses to postpone by the following vote:

Ayes—Messrs. Armstrong, Bonner, Bryson, Buchan, Chadwick, Clarke, Deans, Dixon, Dunn, Etheridge, Ferrell, Foard, Jones, Johnson, Leatherwood, Meares, Moore, Reid of Macon, Richardson of Columbus, and Roberson—20.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Ellison, English, Ewing, Foster, Foy, Fulcher, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Lamb, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, Wimberly, Wynne, York, and Young—83.

The question is then put upon the amendment of Mr. Carter of Buncombe, and on a division it is lost.

Mr. Foard offers the following amendment:

"*Provided*, this repeal does not affect any cases now in court in which the State is a party, or in cases which may be brought for offences heretofore committed."

THE SPECIAL ORDER

is again announced, and on motion of Mr. Jones, is again postponed for five minutes.

Mr. Atkinson submits the following amendment:

"*Provided*, there shall be no money drawn out of the treasury for counsel."

Mr. Jones moves to refer the bill to the committee on Finance.

The following amendment, offered by Mr. Clarke, is read for the information of the House:

"Strike out the title of said bill, and insert the following: A bill to enable Geo. W. Swepson, M. S. Littlefield and other rogues to escape justice."

Mr. Colwell submits the following, which is read for the information of the House:

"*Provided*, that in cases when the Governor of the State, with the advice of the council of State, shall deem it absolutely necessary to employ additional counsel to assist the Attorney General, they shall have power to employ such additional counsel, not to exceed two, and to pay them not to exceed one hundred dollars each, for each term of the court they shall attend, and actual expenses necessarily incurred in travelling to and from their homes to place of meeting of the court."

THE SPECIAL ORDER

is again announced, and again postponed for five minutes, on motion of Mr. Berry.

Mr. Berry submits the following amendment:

"Amend by limiting the Governor to one thousand dollars per annum for attorney's fees."

And then the question is on the proposition of Mr. Jones to refer the bill to the committee on Finance, which on a division prevails by a vote of 44 ayes, 43 nays.

THE SPECIAL ORDER

is then resumed, being

H. B. 89, a bill to amend the Constitution, &c.

Mr. Blaisdell moves that the bill be indefinitely postponed, and on the motion demands the ayes and nays. The call is sustained, and the motion to indefinitely postpone prevails by the following vote:

Ayes—Messrs. Anderson, Bateman, Battle, Bernard, Bingham, Bird, Blaisdell, Blalock, Blocker, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Warren, Carson, Cary, Chadwick, Christmas, Clarke, Coffield, Davis of Catawba, Davis of Haywood, Deans, Dixon, Dunn, Ellison, Etheridge, Ewing, Ferrell, Foster, Foy, Grant, Harrell, Henderson, Hobbs, Horton, Leatherwood, Lowry, Lutterloh, Meares, Miller, Norment, Osborne, Pettipher, Powers, Reid of Macon, Reynolds, Ritchey, Roberson, Scott, Venable, Waddell, Wheeler, Wimberly, Wynne, York, and Young—58.

Nays—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bizzell, Bonner, Bost, Brown of Mecklenburg, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Click, Cobb, Colwell, Cooke, Council, Covington,

English, Foard, Fulcher, Goldston, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Lewis, Lindsay, Lockhart, Mebane, Melson, Moore, Oliver, Orchard, Paxton, Rawley, Reid of McDowell, Richardson of Columbus, Smith, Taylor, and Vaughan—45.

By consent, Mr. Vaughan makes a report from the joint committee on the Employees of this General Assembly. The report is read, and, on motion, is transmitted to the Senate by message asking the concurrence of that body.

The Speaker caused the announcement to be made of certain bills, &c., previously reported by the committee on Enrolled Bills.

The Speaker causes to be read a communication from the Secretary of State in reference to certain inquiries addressed to him by the House.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 139, a bill to protect holders of policies in Fire Companies in this State;

S. R. 291, a resolution asking for a report of the committee on Charitable and Penal Institutions;

S. B. 295, a bill to amend the charter of Davidson College;

S. B. 43, a bill to punish the seduction of women; and

S. B. 159, a bill to abolish the tax fees of attorneys charged in bills of costs in civil suits;

They are read the first time in this House, and S. B. 43 is referred to the committee on the Judiciary, S. B. 139 to the committee on Insurance, S. B. 159 to the committee on Salaries and Fees, and S. B. 291 is placed on the Calendar.

On motion of Mr. Lewis,

H. B. 45, a bill to charter the Louisburg and Nashville Branch of the Wilmington and Weldon Railroad is put on its several readings. The substitute offered by the commit-

tee is adopted, and the bill so substituted passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Bost moves to take up S. B. 295, just received from the Senate; and the bill is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. B. 119, a bill to amend the charter of the Mount Airy R. R., &c., is put on its third reading.

Mr. Foard offers the following amendment, which is accepted:

"Amend the present bill by adding a new section to come in before section 5 in said chapter to read as fallows:

"That the proviso in section 4 of said charter be stricken out."

Mr. Vaughan submits the following amendment, which is adopted:

"Amend the printed bill by inserting after the word 'election,' in the 44th line of section 2, the words 'and townships shall have corporate powers for the purposes of this act.'"

Mr. Norment submits the following, which is accepted:

"Add the following proviso: 'That when any city, town, county or township, or other corporation, shall subscribe money or pledge any property to said road, the directors or other managers of said road shall not be permitted to lease, sell or otherwise dispose of the said road without the consent of such city, town, county or other corporation."

Mr. Richardson of Columbus, offers the following, which is accepted:

"*Provided*, that nothing in this charter shall be construed to exempt said road from taxation."

And the bill as amended is then put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard,

Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foster, Foy, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Vaughan, Venable, Wheeler, Wimberly, York, and Young—91.

Nay—Mr. Carter of Warren—1.

A message from the Governor is announced covering the report of W. F. Martin, State proxy on the Albemarle and Chesapeake Canal Company, which is read, and on motion of Mr. Atkinson, is ordered to be transmitted to the Senate, with a proposition to print.

Mr. York, on the part of the committee on Internal Improvements, submits the following reports: on

H. B. 35, a bill to amend an act to aid in the construction of the Chester and Lenoir and Caldwell and Watauga Narrow Gauge R. R., with certain amendments, and recommending the passage of the bill with the adoption of the amendments; on

H. B. 103, a bill to amend the charter of the Northwestern N. C. Railroad, &c., recommending its passage with amendments proposed, and

H. B. 141, a bill for the benefit of the Winston, Salem and Mooresville R. R. Co., with an amendment, and recommending the passage of the bill so amended.

A communication is read from Capt. John E. Dugger, Principal of the Raleigh Graded School, tendering an invitation to the members of this House to visit said school.

The announcement of the meeting of committees is made, and, on motion of Mr. Foard, the House adjourns until to-morrow morning at 10 o'clock.

TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Friday, January 31, 1879.

The House meets at 10 o'clock this morning, and is called to order by Mr. Vaughan.

The reading of the Journal is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Richardson of Columbus, a petition from sundry citizens of Williamson's township, Richmond county, asking the prohibition of the sale of spirituous liquors within three miles of Tabernacle M. E. Church in said township; and

By Mr. Covington, a petition from sundry citizens of Jones' Creek township, the members and officers of Philadelphia Baptist Church, praying the prohibition of the sale of spirituous liquors within two miles of said church; both of which are referred to the committee on Propositions and Grievances; and

By Mr. Carson, a petition from the citizens of Alexander county, asking that Wesley Laws may be appointed magistrate for Sugar Loaf township, which is referred to the joint committee on Election of Justices of the Peace.

LEAVES OF ABSENCE, &C.

Leave of absence is granted indefinitely to Speaker Moring on account of sickness in his family.

Leave of absence is granted to Mr. Huffstetler until Wednesday next; to Mr. Hewett for the same time; to Mr. Barringer until Tuesday; to Mr. Berry until Wednesday; to Mr. Click for the same time; to Mr. Cooke until Tuesday; to Mr. Coffield for the same time; to Mr. Blalock indefinitely on account of sickness in his family; to Mr. Ewing until Wednesday next; to Mr. Reid of McDowell, for the same time; and to Mr. Burroughs until Tuesday.

Extension of the leave to J. P. Norton, Assistant Doorkeeper, is made indefinite on account of continued sickness in his family.

Mr. Harrison obtains leave to record his vote in the affirmative on the motion made yesterday to postpone indefinitely H. B. 89.

REPORTS OF COMMITTEES.

Mr. Covington, from the committee on Insurance, reports favorably on

H. B. 231, a bill to regulate insurance in this State; also favorably, with amendment, on

S. B. 139, H. B. 394, a bill to protect holders of policies in fire insurance companies in this State.

Mr. Covington, from the Judiciary Committee, reports favorably on

H. B. 328, a bill for the more effectual punishment of horse stealing.

Mr. Bernard, from the committee on Counties, Cities, Towns and Townships, reports favorably on

H. B. 390, a bill to amend the charter of the city of Newbern; and unfavorably on

H. B. 229, a bill to change the line between the counties of Ashe and Watauga; and on

H. B. 391, a bill to amend chapter 141, laws 1876–'77, in relation to the election of county commissioners.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports favorably, with amendment, on

H. B. 282, a bill to amend the charter of the Snow Hill, Greenville & Goldsboro R. R.; also favorably, with amendment, on

H. B. 330, a bill to allow the Rabun Gap Short Line Railway Company to use fifty convicts; and favorably on

S. B. 178, H. B. 318, a bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad.

Mr. Blalock, from the committee on Agriculture, &c., reports favorably on

H. B. 183, a bill for the better drainage of the lowlands of Silver Creek, Burke county; and unfavorably on

H. B. 285, a bill for the benefit of the Agricultural Fair of the State.

Mr. Ardrey, from the same committee, reports adversely on

H. B. 339, a bill amendatory of an act establishing a Department of Agriculture, Immigration and Statistics; on

H. B. 312, a bill providing for the election of commissioner of agriculture.

Mr. Orchard, from the committee on Corporations, reports favorably on

H. B. 369, a bill to incorporate the town of Burgaw, Pender county; on

H. B. 370, a bill to incorporate McKendree's Chapel, Iredell county, and to prevent the sale of liquor near by; and on

H. B. 371, a bill to incorporate Morrow's Chapel, Iredell county, and to prevent the sale of liquor near by.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 379, a bill to incorporate Bethpage Church, No. 3 township, Cabarrus county.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

H. B. 165, a bill to regulate the practice of dentistry, &c.; on

H. B. 362, a bill to allow suits by or in behalf of infants to be prosecuted without payment of fees in advance and without giving security for the costs; on

H. B. 213, a bill to compel parties holding old notes and judgments to pay back taxes thereon, recommending the adoption of an accompanying substitute therefor; favorably on

H. B. 104, a bill in reference to superior court clerks and registers of deeds; on

S. B. 7, H. B. 218, a bill to amend section 1, chapter 196, laws of 1876–'77; on

H. B. 363, a bill for the relief of the sureties of Jonas Cline, late sheriff of Catawba county, recommending its passage with the adoption of an accompanying amendment; and unfavorably on

H. B. 377, a bill for the equitable relief of certain classes of indebted persons; on

H. B. 326, a bill to amend the law of procedure in bastardy cases; on

S. B. 50, H. B. 366, a bill to prohibit the removal of causes except where the ends of justice absolutely require it.

Subsequently, by consent, Mr. Covington, from the committee on the Judiciary, reports unfavorably on

H. B. 152, a bill to authorize the authorities of the several counties to farm out convicts.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably

H. B. 386, a bill to protect rafts in Cape Fear River, and on

S. B. 220, H. B. 365, a bill for the protection of deer; and unfavorably on

H. R. 88, a resolution requiring the Raleigh & Augusta Air Line R. R. to make restitution, &c.; on

H. R. 71, a resolution to investigate and punish the Ring; on

H. B. 87, a resolution concerning fraud upon the ballot box; on

H. R. 56, a resolution to expel a member; on

H. R. 75, a resolution calling for the exposure and indictment of ring men; on

H. R. 76, a resolution to expose and let in light on the ring; on

H. R. —, a resolution calling for report of a special committee.

Mr. Armstrong, from the same committee, reports unfavorably on

H. R. 72, a resolution showing how the money goes; and on

H. R. 74, a resolution to investigate and punish the ring.

Mr. Cooke, by consent, subsequently submits from the committee on the Judiciary, a favorable report on

H. B. 184, a bill to establish a State line between Macon county, North Carolina, and Rabun county, Georgia.

Mr. Carter, of Buncombe, from the committee on Internal Improvements, reports favorably on

S. B. 23, H. B. 219, a bill concerning draining and damning lower lands.

Mr. English, from the committee on Engrossed Bills, reports the following House Bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 9, a bill to be entitled an act for the relief of jurors of Wilkes county.

INTRODUCTION OF RESOLUTIONS.

By Mr. Carter of Buncombe, a resolution in favor of Jones, Beaty & Co., which is referred to the committee on Finance.

The following resolutions are assigned to the Calendar :

By Mr. Dunn, a resolution concerning the appointment of justices of the peace ;

By Mr. Reynolds, a resolution in regard to the bad treatment of convicts engaged on the public works of the State ; and

By Mr. Foard, a resolution asking our Representatives in Congress to get a law repealed taxing free dealing in leaf tobacco.

By Mr. Brown of Yadkin, a resolution in regard to salaries and fees, which is referred to the committee on Salaries and Fees.

INTRODUCTION OF BILLS.

By Mr. Ferrell, a bill to establish an additional polling place in Oak Grove Township, Wake county, which is referred to the committee on Counties, Cities, &c.

By Mr. Covington, a bill to allow justices of the peace to issue process in certain cases to any county in the State ;

By Mr. Dixon, a bill concerning the costs in capital cases; both of which are referred to the committee on the Judiciary.

By Mr. Colwell, a bill to amend chapter 155, private laws of 1874–'75, concerning inspection of timber;

By Mr. Scott, a bill to protect sheep husbandry ; both of which are referred to the committee on Agriculture, &c.

The following bills are referred to the committee on Finance:

By Mr. Bryson, a bill to authorize E. Everett, former sheriff of Swain county, to colleet arrears of taxes;

By Mr. Moore, a bill for the relief of E. A. Wilson, late sheriff of Pitt county; and

By Mr. Henderson, a bill to regulate the rate of interest.

By Mr. Richardson of Columbus, a bill to incorporate the "Cornelius Harnett Council of the Royal Arcanum," of Wilmington;

By Mr. Davis of Catawba, a bill to incorporate the town of Hickory, Catawba county; both of which are referred to the committee on Corporations.

By Mr. Scott, a bill for the relief of draymen from special tax;

By Mr. Foy, a bill to stop the collection of all debts for twelve months; both of which are referred to the committee on Proposition and Grievances.

By Mr. York, a bill to prevent the reckless destruction of fish in the running waters of the State, which is referred to the committee on Fish Interest.

Mr. Turner, from the committee to investigate frauds in the W. N. C. R. R., made a report of the action of the committee.

Mr. Turner moves to suspend the rules to take up the report, and on that motion demands the ayes and nays. The call is sustained and the report is taken up by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Brown of Yadkin, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foster, Foy, Fulcher, Goldston, Grant, Harrison, Henderson, Hewett, Hobbs, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lowry, Lutterloh, Mebane, Melson,

Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Venable, Waddell, Wheeler, Wimberly, Wynne, and Young—85.

Nays—Messrs. Cooke, Covington, Foard, Hines, Reid of Macon, and York—6.

The report was read, and Mr. Turner moves that two thousand copies of the report be printed.

On the motion to print Mr. Clarke demands the ayes and nays, pending which motion,

THE SPECIAL ORDER

is announced, which Mr. Clarke moved to postpone for fifteen minutes, which, on motion of Mr. Turner, is amended by the postponement of the special order until the business before the House is concluded.

Mr. Foard moves to amend the motion to print by striking out all that part of the report which purports to be the report and comments of the committee.

Mr. Lockhart, of the committee, reads a protest against the adoption of the report in its present form.

Mr. York moves to refer the report back to the committee; upon which motion Mr. Clarke demands the ayes and nays. The call is sustained and the report was recommitted by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Bateman, Bernard, Berry, Bizzell, Blalock, Blocker, Bonner, Bost, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Ellison, English, Foard, Foster, Fulcher, Goldston, Grant, Harrell, Hines, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lowry, Lutterloh, Meares, Mebane, Melson, Moore, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley,

Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Wheeler, York, and Young—64.

Nays—Messrs. Anderson, Barringer, Bingham, Brown of Yadkin, Cale, Carter of Warren, Cary, Christmas, Clarke, Deans, Dixon, Dunn, Foy, Harrison, Henderson, Hewett, Hobbs, Horton, Miller, Newell, Pettipher, Reynolds, Scott, Turner, Venable, Waddell, Wimberly, and Wynne—28.

Mr. Lockhart, as a member of the committee, is excused from voting.

A message from the Governor is announced, with certain documents, which, on motion, are transmitted to the Senate.

Mr. Christmas moves that the order of the House, transmitting the same be reconsidered; and the House refused to reconsider.

A MESSAGE FROM THE SENATE

is announced, transmitting report of the committee appointed to examine the Treasury Department, with a proposition to print.

H. B. 348, a bill to amend the act to prohibit the sale of liquors in certain localities, so far as relates to Zion Hill Baptist Church, Halifax county, is put on its second reading and passes, and goes to its third. Mr. Norment demands the ayes and nays on the passage of the bill. The call is not sustained, and the bill passes, and is ordered to be engrossed and sent to the Senate for concurrence.

THE SPECIAL ORDER,

being H. B. 47, a bill to change the line between the counties of Wilkes and Caldwell, is resumed.

By unanimous consent, Mr. Clarke introduces a resolution to authorize the temporary Speaker to sign certificates

of pay. The rules are suspended, and the resolution is adopted, and is ordered to be transmitted to the Senate.

Mr. Carter moves to reconsider the action of the House by which the resolution is adopted. Reconsideration is had, and Mr. Carter of Buncombe, moves that the House now proceeds to elect a Speaker *pro tem.* The motion is adopted; and the Speaker, Mr. Norment, in the chair, announces that nominations are in order. Mr. Carter of Buncombe, nominates Mr. Vaughan, and moves that the election be by acclamation. The motion prevails, and Mr. Vaughan is elected.

On motion of Mr. Carter of Buncombe, the action of the House is reconsidered, and the motion to proceed to an election *viva voce* prevails. The nomination of Mr. Vaughan is renewed, and he is elected by the following vote, and is conducted to the Chair by Messrs. Jones and Scott, and assumes the duties of Speaker *pro tem:*

For Mr. Vaughan—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blocker, Bonner, Bost, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Colwell Cooke, Council, Covington, Davis of Haywood, Deans, Dixon, Dunn, English, Ferrell, Foard, Foster, Foy, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Venable, Wheeler, Wimberly, Wynne, York, and Young—93.

Action on the special order is resumed.

Mr. York moves to indefinitely postpone the bill, which motion, on a division, is carried by a vote of ayes 37, nays 26.

THE SECOND SPECIAL ORDER,

being H. B. 52, a bill to regulate usury, is announced.

Mr. Clarke moves to postpone consideration of the bill until to-morrow at 12 o'clock. Mr. Covington moves to indefinitely postpone, upon which motion Mr. Clarke demands the ayes and nays. The call is sustained, and the bill is indefinitely postponed by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Blalock, Bonner, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Deans, Ellison, English, Etheridge, Foard, Foster, Goldston, Grant, Harrell, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnston, Lamb, Leatherwood, Lockhart, Meares, Mebane, Melson, Miller, Moore, McLean, Newell, Orchard, Paxton, Powers, Rawley, Reid of Macon, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Venable, Wheeler, Wynne, and Young—62.

Nays—Messrs. Bateman, Bernard, Bingham, Bizzell, Blocker, Brown of Yadkin, Carter of Warren, Carson, Christmas, Clarke, Click, Dixon, Dunn, Ferrell, Foy, Harrison, Henderson, Lowry, Lutterloh, Norment, Osborne, Pettipher, Reynolds, Scott, Waddell, Wimberly, and York—27.

A MESSAGE FROM THE SENATE

is announced, transmitting

Senate substitute for H. B. 200, a bill for the relief of sheriffs and tax collectors; and

Senate amendments to H. R. —, a resolution concerning the pay of pages and employees of this General Assembly.

On motion of Mr. Richardson of Columbus, the House

refuses to concur in the amendments of the Senate to H. B. 200; and,

On motion of Mr. Bryson, refuses to concur in the amendments of the Senate to the resolution in regard to the pay of pages and employees; and

On motion of Mr. Bizzell, the House adjourns until 10 o'clock to-morrow.

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Saturday, Feb. 1, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Vaughan, and opened with prayer by the Rev. Dr. Pritchard of the city.

The reading of the Journal is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Richardson of Columbus, a petition of sundry citizens of Columbus county, asking a change in the law in regard to fishing in Lake Waccamaw, which is placed on the Calendar;

By Mr. Leatherwood, a petition from sundry citizens of Jackson county, asking that the Tuckasiege river be made a lawful fence, which is referred to the committee on Agriculture;

By Mr. Carter of Warren, a petition from the citizens of Warren county, asking the re-appointment of Alex. Wright

as a justice of the peace for River township, No. 1, which is referred to the committee on justices of the peace; and

By Mr. Young, a petition from citizens of Polk county, asking the appointment of certain persons named in the petition as justices of the peace for Polk county, which is referred to the same committee.

Leave of absence is granted indefinitely to Mr. Meares on account of sickness in his family.

REPORTS OF COMMITTEES.

Mr. McLean, from the committee on Education, reports favorably on

H. B. 372, a bill to amend section 4, chapter 285, laws of 1876–'77.

Mr. Covington, from the committee on the Judiciary, reports on

H. B. 67, a bill to make the killing of live stock indictable, recommending the adoption of an accompanying substitute; and unfavorably on

H. B. 176, a bill to amend section 3, and to re-enact section 5, chapter 216, laws of 1876–'77.

Mr. Jones, from the committee on the Judiciary, reports unfavorably on

H. B. 378, a bill to abolish the office of county commissioners in counties where there are inferior courts.

Subsequently, by consent, Mr. Carter of Buncombe, reports favorably on

H. B. 216, a bill to amend section 2, chapter 195, laws of 1874–'75, in regard to birds; on

H. B. 359, a bill to entitle constables of towns and cities to serve civil warrants, recommending the adoption of an accompanying substitute; and unfavorably on

H. B. 270, a bill to amend chapter 9, section 1, Battle's Revisal; on

H. R. 79, a resolution in regard to the sale and division of land; on

H. B. 364, a bill to re-enact chapter 227, laws of 1876–'77; and on

H. B. 402, a bill concerning the cost in capital cases; on

S. B. 43, H. B. 397, a bill to punish seduction of women; and on

H. B. 358, a bill to protect sheep and raise revenue for the support of public schools, recommending its reference to the committee on Agriculture, &c.

INTRODUCTION OF RESOLUTIONS.

By Mr. York, a resolution of instruction to the committee on Finance;

By Mr. Norment, a resolution in relation to private bills; both of which are placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Colwell, a bill to prevent fraud in the sale of turpentine;

By Mr. Dixon, a bill to amend chapter 260, laws of 1876–'77;

By Mr. Horton, a bill for the relief of sundry citizens of Hertford county;

By Mr. Buchan, a bill to amend chapter 171, laws of 1873–'74, in relation to the sale of salt fish;

By Mr. Lamb, a bill for the protection of livery stable keepers and inn keepers;

By Mr. Ellison, a bill to prescribe the re-assessment of real property for taxation in Wake county; and

By Mr. Turner, a bill to regulate the rates of interest on money.

By Mr. Norment, a bill to amend section 2, chapter 161, laws of 1876–'77, in relation to county governments, which is referred to the committee on County Governments.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Norment, a bill to alter the Constitution of North Carolina; and

By Mr. Clarke, a bill to establish the compensation of Solicitors.

By Mr. Council, a bill to aid in the construction of the Caldwell & Watauga Narrow Gauge Railroad, and for other purposes;

By Mr. Clarke, a bill to establish the Board of Newbern Harbor Commission; both of which are referred to the committee on Internal Improvements.

By Mr. Powers, a bill to incorporate the Trustees of Brooks' Chapel Camp Ground, Cleaveland county, which is referred to the committee on Corporations.

By Mr. Carson, a bill to amend chapter 163, laws of 1871–'72; and

By Mr. Roberson, a bill to exempt Ministers of the Gospel from working on the public road; both of which are referred to the committee on Railroads, Post-roads, &c.

By Mr. Leatherwood, a bill to make the Tuckasiege river, in Jackson county, a lawful fence, which is referred to the committtee on Agriculture.

By Mr. Richardson of Columbus, a bill to amend chapter 67, laws of 1876–'77; and

By Mr. Clarke, a bill to change the time of holding the terms of the Superior Courts of Jones and Pitt counties; both of which are placed on the Calendar.

By Mr. Carey, a bill to exempt school teachers from working on public roads and highways in this State, which is referred to the committee on Education.

By Mr. Scott, a bill in regard to paupers and insane, which is referred to the committee on Counties, Cities, &c.

Mr. English, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 45, a bill to be entitled an act to charter the Louisburg and Nashville branch of Wilmington and Weldon Railroad Company;

H. B. 119, a bill to be entitled an act to amend the charter of Mount Airy Railroad, and provide for the building of a railroad from Greensboro, in Guilford county, to Ore Knob, in Ashe county.

THE UNFINISHED BUSINESS

of yesterday is announced, being the report of the committee to examine the office of the Treasurer of State.

On motion of Mr. Jones, the reading is dispensed with, and a proposition to transmit the message and report to the Senate with a proposition to print, is agreed to; and a message is sent to the Senate to that effect.

The Senate amendments to H. B. 49, a bill to incorporate the Payne Benevolent Society of Rutherford county, are concurred in, and the bill is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is announced, transmitting S. B. 219, a bill to amend chapter 27, Battle's Revisal;

S. B. 129, a bill to amend section 1, chapter 219, laws of 1876–'77;

S. B. 203, a bill to prevent the driving of cattle from South Carolina and other places, into counties west of the Blue Ridge;

S. B. 207, Senate substitute for H. B. 91, a bill to amend sub-section 9, section 33, Code of Civil Procedure; and

Engrossed Senate amendments to H. B. 121, a bill to amend chapter 48, Battle's Revisal.

They are read the first time in this House, and Senate substitute for H. B. 91 is referred to the Judiciary Committee;

S. Bills 129 and 219, to the same committee; and

S. B. 203, to the Committee on the Judiciary.

On motion of Mr. Jones, the Senate amendments to H. B. 121 are concurred in, and the bill is ordered to be enrolled for ratification.

Mr. Jones moves that the vote by which H. B. 47, a bill to change the line between the counties of Wilkes and Caldwell was indefinitely postponed be reconsidered, and that the motion to reconsider be entered on the Journal.

On motion of Mr. Jones, Lieutenant Governor Armfield is invited to a seat on the floor of the House.

H. B. 103, an act to amend the charter of the Northwestern North Carolina Railroad, &c., is taken up on its third reading.

Mr. York submits a new section to be added to the bill by way of amendment, which is accepted.

Mr. Richardson submits the following amendment, which is accepted:

"*Provided*, that nothing in this charter shall be construed to exempt said road from taxation."

Mr. Carter of Buncombe, submits an amendment, which, after discussion, is withdrawn.

The question is then put on the amendments offered by the committee, and they are accepted; and the question recurs on the passage of the bill.

Mr. Powers sends forward the following amendment:

Amend by inserting in the proper place: "*Provided, however*, that any county, township, or other corporate

authorities who shall issue any bonds or assume any obligations in behalf of this road, shall be required to commence, as soon as said obligations are assumed, to provide a sinking fund that shall be sufficient to liquidate said bonds or obligations at maturity."

Mr. Christmas sends forward the following amendment:

Strike out in line 6 the words "a person" and insert "two persons in the Eastern part of the State, and one in the Western part," and insert in line 17 between the words "toll and" "who are not in any respect interested in said work."

The question is put on the amendment, and it is rejected.

Mr. Turner sends the following amendment:

Strike out "convict, and convict labor," wherever it occurs in the bill.

The question is put on this amendment, and it is rejected; and the question recurs on the passage of the bill; and it passes by the following vote, and is ordered to be engrossed and transmitted to the Senate:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Bernard, Bingham, Bizzell, Blocker, Bonner, Bost, Brown of Yadkin, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Clarke, Colwell, Council, Covington, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Foster, Fulcher, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Holt, Jones, Johnson, Lamb, Leatherwood, Lockhart, Lowry, Lutterloh, Meares, Miller, Moore, McLean, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Richardson of Columbus, Roberson, Smith, Taylor,

Turner, Venable, Wheeler, Wimberly, York, and Young —72.

Nays—Messrs. Carter of Warren, Christmas, Henderson, Horton, Osborne, and Wynne—6.

A message from the Governor is announced, transmitting a copy of certain resolutions of the Legislature of the State of Alabama in relation to the exercise of the jurisdiction by the Courts of the United States, in certain proceedings against municipal corporations in the several States.

Mr. Carter of Buncombe, moves to transmit the communication to the Senate, with a proposition to raise a Joint Select Committee to consider what action should be taken in the premises and to report to this General Assembly; and it is so ordered.

A message from the Senate is received transmitting

S. B. 259, a bill prescribing the mode of qualifications of attorneys who have been licensed to practice law in the Courts of this State. The bill is referred to the committee on the Judiciary.

On motion of Mr. Rawley,

S. B. 178, H. B. 318, a bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock of a railroad, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Bernard, Bingham, Bizzell, Blocker, Bost, Brown of Yadkin, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke Colwell, Council, Davis of Haywood, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Foster, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Jones, Johnson, Lamb, Leatherwood, Lowry, Lutterloh, Melson, Miller, Moore, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Richardson of

Columbus, Roberson, Smith, Taylor, Turner, Venable, Wheeler, Wimberly, York, and Young.—73.

Nays—Mr. Bonner—1

On motion, the rules are suspended, and H. B. 426, a bill to amend chapter 67, laws of 1876-'77, in relation to the protection of fish in Lake Waccamaw and adjacent waters, is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Norment moves to adjourn, which is lost.

Under a suspension of the rules, on motion of Mr. Clarke, H. B. 432, a bill to change the time of holding the Superior Courts of Jones and Pitt counties is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

THE CALENDAR

is resumed, and

H. B. 35, a bill to amend an act to aid in the construction of the Chester and Lenoir and Caldwell and Watauga Narrow Gauge Railroads, is taken up on its second reading. The question recurs on the amendment by the committee, which being accepted, the bill passes its several readings, and is ordered to engrossed and sent to the Senate for concurrence.

S. B. 50, H. B. 366, a bill to prohibit the removal of causes except where the ends of justice absolutely require it, is taken up, and on motion of Mr. Bost, made special order for Wednesday, Feb. 5th, at 12 o'clock.

H. B. 364, a bill to re-enact chapter 227, laws of 1876-'77, is taken up, and on motion of Mr. Carter, of Buncombe, is laid on the table.

And on motion, the House adjourns until Monday morning at 10 o'clock.

TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Monday, Feb. 3d, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Vaughan, Speaker *pro tem.*, and opened with prayer by the Rev. Dr. Marshall of the city.

The reading of the Journal of Saturday is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

By Mr. Richardson of Columbus, a petition of sundry citizens of Columbus, asking for the passage of an act concerning the sale of tar, which is referred to the committee on Propositions and Grievances;

By Mr. Armstrong, a petition from sundry citizens of Pender county, asking the appointment of Walter Cheery as justice of the peace for Lincoln township; which is referred to the committee on appointment of Justices of the Peace;

By Mr. Oliver, a petition from citizens of Robeson and Columbus counties, asking for an appropriation to make a road across Lumber river and Ashpole swamp in Robeson county, which is referred to the committee on Internal Improvements; and

By Mr. Orchard, six petitions from citizens of Cabarrus county, one signed by 26 citizens, another by 22, another by 34, another by 204, another by 56, and another by 21; all of which are referred to the committee on Agriculture.

REPORTS OF COMMITTEES.

Mr. Ardrey, from the committee on Agriculture, &c., re-

ports favorably on H. B. 401, a bill to amend chapter 155, private laws of 1874–'75, concerning the inspection of timber in the city of Wilmington; on

H. B. 350, a bill to relieve farmers and others from payment of special tax; and unfavorably on

H. B. 294, a bill for the benefit of the farmers of South Yadkin; on

H. B. 407, a bill to protect sheep husbandry.

Mr. English, from the committee on Engrossed Bills, reports the following House Bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 401, a bill to be entitled an act to amend chapter 155, private laws of 1874 and 1875 concerning the measurement of timber in the city of Wilmington.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Carter of Buncombe, a resolution in reference to the inauguration of Governor Jarvis;

By Mr. McLean, a resolution in regard to the Calendar; and

By Mr. Turner, a resolution to stop a leak.

By Mr. Carter of Warren, a resolution in favor of George Fields, which is referred to the committee on Claims.

INTRODUCTION OF BILLS.

By Mr. Turner, a bill concerning attorneys at law;

By Mr. Lockhart, a bill supplementary to an act to change the time of holding the Superior Courts in the Fourth Judicial District; both of which are placed on the Calendar.

By Mr. Ardrey, a bill to amend chapter 284, laws of 1876-'77, concerning the maintenance of lunatics;

By Mr. Roberson, a bill to save tax-payers three thousand and seven hundred dollars ($3,700) per annum; both of which are referred to the committee on Finance.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Venable, a bill to protect birds in Stokes county;

By Mr. Bernard, a bill to prohibit the sale of seed and lint cotton without an order from the land-owner, his agent or attorney;

By Mr. Bernard, a bill to exempt *bona fide* residents from payment of any taxes on purchases and sales of horses, mules and live stock;

By Mr. Melson, a bill to prevent the obstruction to navigation in the waters of Albemarle Sound and its tributaries; and

By Mr. Covington, a bill to provide an annuity for soldiers who lost their sight in the last war.

By Mr. Amis, a bill to protect sheep and raise revenue for public schools, which is referred to the committee on Agriculture.

By Mr. Foster, a bill to incorporate the Trustees of Riverside Camp Ground, Ashe county;

By Mr. Jones, a bill to incorporate the town of Forestville, Wake county; both of which are referred to the committee on Corporations.

By Mr. Covington, a bill to punish the entering of dwellings in the night time otherwise than by breaking;

By Mr. Lowry, a bill respecting the collection of railroad taxes in Forsythe county; both of which are referred to the committee on the Judiciary.

By Mr. Richardson of Columbus, a bill in relation to public roads, which is referred to the committee on Public Roads.

After the expiration of the morning hour, on motion of Mr. Carter, of Buncombe, a resolution introduced by himself at this morning's session, in relation to the inauguration of

Gov. Jarvis, is taken up and passes, and is ordered to be transmitted to the Senate without engrossment; and it is so transmitted.

The Calendar is taken up, and

H. B. 216½, a bill extending the powers of Grand Juries, is taken up on its second reading, and on motion of Mr. Covington, is laid on the table.

H. B. 43, a bill to incorporate the Bank of Asheville, is put on its third reading. The question is on the amendments proposed by the committee, and they are accepted.

Mr. Carter, of Buncombe, moves the following amendment:

"Amend by adding the names of James E. Rankin, C. M. McLoud, D. C. Millard, John Reeves, J. M. Stevens, Solomon Luther, A. B. Fortune, A. M. Alexander, and Natt Atkinson."

H. B. 25, a bill to protect game in Anson county, is put on its several readings.

Mr. Ardrey moved to insert "Mecklenburg" after Union wherever it occurs, which is accepted.

Mr. Armstrong moves to insert Pender after the word "Union" wherever it occurs; which is accepted.

Mr. Clarke moves to insert the word "Craven" after Pender wherever it occurs, which is accepted.

Sundry amends including the counties of Wake, Randolph, Granville, Davie, Wilson, Duplin, Robeson, Cumberland, Bladen, Rowan, Forsythe, Hertford, Stokes, Sampson, Chatham, and Cleaveland are adopted.

Mr. Harrison moves to strike out "counties" wherever it occurs, and insert State, and the amendment is rejected.

And the bill, as amended, passes its second reading, and goes to its third. Mr. Richardson of Wake, moved to strike out the word "Wake" from the bill, which prevails, and

the bill then passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 36, a bill in regard to listing property, on motion of Mr. Bizzell, is laid on the table.

H. B. 40, a bill to enlarge and define the powers of Justices of the Peace, is put on its second reading.

Mr. Richardson of Columbus, moves the bill be laid on the table. On that motion, Mr. Norment calls the ayes and nays. The call is sustained, and the bill is tabled by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bernard, Bizzell, Blocker, Bonner, Bost, Brown of Yadkin, Bryson, Buchan, Carter of Buncombe, Carter of Yancey, Carroll, Colwell, Covington, Davis of Haywood, English, Etheridge, Foard, Foster, Fulcher, Goldston, Grant, Hewett, Hines, Jones, Johnson, Leatherwood, Lockhart, Lutterloh, Melson, Moore, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Richardson of Columbus, Ritchey, Smith, Taylor, York, and Young—48.

Nays—Messrs. Bateman, Cale, Carter of Warren, Carson, Cary, Christmas, Clarke, Council, Dimsdale, Dixon, Harrison, Henderson, Hobbs, Horton, Lamb, Lowry, Miller, Newell, Norment, Osborne, Pettipher, Richardson of Wake, Roberson, Scott, Turner, Venable, Wimberly, and Wynne —28.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate concurs in the proposition in reference to the inauguration of Gov. Jarvis, and begs leave to amend by raising a joint select committee of three on the part of the Senate and five on the part House, to take the matter in charge and make suitable arrangements for the occasion.

The Senate amendments are concurred in, and the Speaker causes the announcement of the following committee on

the part of the House, under the resolution as amended: Messrs. Jones of Caldwell, Covington, Armstrong, Clarke and Norment; and a message is transmitted to the Senate giving information of said appointment.

Mr. Best is granted leave of absence for this morning's session, to attend to the meeting of the Magistrates of Wake county, of which he is a member.

Leave of absence is also granted for Mr. Mebane and Mr. Wheeler for to-day.

On motion of Mr. Colwell,

H. B. 401, a bill to amend chapter 155, private laws of 1874–'75, concerning inspection of lumber in the city of Wilmington, is put on its readings and passed.

On motion of Mr. Colwell, the vote by which the bill passed is reconsidered, and that motion laid on the table; and the bill is ordered to be forthwith engrossed and sent to the Senate; and it is so engrossed and transmitted.

A message from the Senate is received, transmitting

S. B. 134, a bill defining the jurisdiction of Judges in the Superior Courts as to the granting of injunctions and restraining orders, and appointment of receivers; and

S. B. 240, a bill concerning civil actions for the recovery of debts contracted for the purchase of land.

They are read the first time in this House, and are both referred to the committee on the Judiciary.

A message from the Senate is received, informing the House that the Senate recedes from its amendments to H. B. 200, a bill to amend chapter 36, laws of 1876–'77, and has ordered the bill to be enrolled for ratification.

Also, that the Senate declines to recede from its amendments to H. R. —, S. R. 335, resolution in regard to the subordinates of the General Assembly.

Also, that the Senate refuses to concur in the proposition of the House to raise a joint select committee to take into consideration the joint resolution of the General Assembly

of Alabama, and suggests its reference to the joint committee on Federal Relations.

On motion of Mr. Carter of Buncombe, the House concurs in the suggestion of the Senate; and, on motion of the same, a committee of conference on the resolution in regard to subordinates, consisting of Messrs. Bryson, Foard and Blocker is appointed; and a message is sent to the Senate notifying that body of the action of the House in both the aforementioned cases.

On motion of Mr. Foard, the Calendar for the remainder of the day is placed at the disposal of the Speaker.

THE CALENDAR IS TAKEN UP.

H. B. 67, a bill to make the killing of live stock indictable is put on its readings. The question is upon the substitute proposed by the committee, which is adopted, and the bill so substituted passes and is ordered to be engrossed as H. B. 451, and transmitted to the Senate for concurrence.

H. B. 87, a bill to secure litigants in the courts of Justices of the Peace a more speedy determination of their rights, is put on its readings. The question is on the substitute offered by the committee, which is adopted; and the bill so substituted is ordered to be engrossed as H. B. 452, and transmitted to the Senate for concurrence.

H. B. 90, a bill to alter section 2, article VI of the Constitution, on motion of Mr. Clarke, is laid on the table.

H. B. 104, a bill in reference to Sheriffs, Superior Court Clerks and Registers of Deeds, passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 127, a bill to relieve merchants and traders in certain cases, is put on its passage.

Mr. Davis of Haywood, moves to lay the bill on the table; and on that motion Mr. Scott demands the ayes and nays.

The call is sustained and the bill is laid on the table by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Bernard, Bonner, Bost, Bryson, Buchan, Carter of Buncombe, Carter of Yancey, Carson, Colwell, Covington, Davis of Haywood, Etheridge, Foard, Foster, Fulcher, Goldston, Grant, Hewitt, Hines, Jones, Johnson, Lamb, Leatherwood, Lockhart, Moore, McLean, Oliver, Orchard, Powers, Rawley, Reid of Macon, Richardson of Columbus, Ritchey, Smith, Taylor, and Young—40.

Nays—Messrs. Bingham, Bizzell, Blocker, Brown of Yadkin, Cale, Carter of Warren, Carroll, Cary, Christmas, Clarke, Council, Dimsdale, Dixon, Ellison, Harrison, Henderson, Hobbs, Horton, Lowry, Lutterloh, Melson, Miller, Newell, Norment, Osborne, Paxton, Pettipher, Richardson of Wake, Roberson, Scott, Venable, Wimberly, and York —33.

Mr. Taylor moves to reconsider the vote by which H. B. 90 was laid on the table with the view of referring the bill to the committee on the Judiciary.

Mr. Anderson moves to lay the motion to reconsider on the table. Upon that motion Mr. Anderson calls for the ayes and nays. The call is sustained, and the motion to reconsider is laid on the table by the following vote:

Ayes—Messrs. Anderson, Bateman, Bingham, Blocker, Bonner, Bost, Brown of Yadkin, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Christmas, Clarke, Colwell, Council, Covington, Dimsdale, Dixon, Ellison, English, Etheridge, Ferrell, Foard, Foster, Goldston, Harrison, Henderson, Hewett, Horton, Leatherwood, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Richardson of Wake, Ritchey, Scott, Venable, Wheeler, Wimberly, York, and Young—51.

Nays—Messrs. Angier, Ardrey, Armstrong, Bernard, Bizzell, Buchan, Carroll, Davis of Haywood, Fulcher, Grant,

Harrell, Hines, Hobbs, Jones, Johnson, Lamb, Lockhart, Melson, Moore, McCorkle, McLean, Orchard, Powers, Richardson of Columbus, Roberson, Smith, and Taylor—27.

H. B. 150, a bill to prevent the wanton fighting of game cocks, and to prevent betting thereon, is put on its passage, and on motion of Mr. York, is laid on the table.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate has appointed Senators Leach, Nicholson and Everett as the Senate branch of the select committee to constitute a committee of arrangements to have charge of the inauguration of Hon. Thomas J. Jarvis, Governor of North Carolina.

THE CALENDAR IS RESUMED, AND

H. B. 152, a bill to amend an act entitled an act to authorize the several county authorities of the State to farm out convicts, is laid on the table, on motion of Mr. ———; and

H. B. 156, a bill to allow the tax collector of the town of Concord, in the county of Cabarrus, to collect the arrears of taxes, is also laid on the table.

H. B. 165, a bill to regulate the practice of dentistry, and to protect the people against quackery, &c., is put on its readings. Mr. Norment moves to lay the bill on the table. Mr. Covington moves to postpone further present consideration of the bill, and make it the special order for tomorrow at 12 o'clock. And it is so ordered by the House.

A MESSAGE FROM THE SENATE

is received, concurring in the proposition of the House for a committee of conference on subordinates of the General As-

sembly, and appointing Messrs. Bynum and Evans as the Senate Branch of said committee.

H. B. 176, a bill to amend section 3, and to re-enact section 5, chapter 216, of the laws of 1876–'77, on motion of Mr. Norment, is laid on the table.

H. B. 241, a bill for the benefit of the Winston, Salem and Mooresville Railroad, is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 177, a bill to amend section 5, and section 15, chapter 84, of Battle's Revisal, is laid on the table, on motion of Mr. Lockhart.

H. B. 184, a bill to establish the dividing line between the county of Macon, in North Carolina, and the county of Rabun, in the State of Georgia, is put on its passage. The substitute proposed by the committee is adopted, and the bill so substituted as H. B. 455, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 190, a bill to define the duties of justices of the peace, on motion of Mr. Lockhart, is laid on the table.

H. B. 194, a bill to amend chapter 259, laws of 1874–'75, on motion of Mr. Hines, is laid on the table.

H. B. 206, a bill to list taxable property in any county, in the township where the owner or his agent resides, is put on its readings.

Mr. Amis moves to postpone the consideration of the bill until the Revenue bill comes up.

Mr. Bost moves to lay the bill on the table; and on a division, the motion prevails.

H. B. 208, a bill for the relief of S. C. Welch, sheriff of Yadkin county, allowing him to collect arrears of taxes for the years 1876–'77, on motion of Mr. Davis of Haywood, is laid on the table;

And on motion, the House adjourns until to-morrow at 10 o'clock.

TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Feb. 4th, 1879.

The House met at 10 o'clock, and is called to order by Mr. Vaughan, Speaker *pro tem.*

The Journal of yesterday stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Richardson of Wake, a petition from Ephesus Church, Wake county, to prohibit the sale of liquor within two miles of said church; and by

Mr. Richardson of Wake, a petition praying that the Legislature do not prohibit the sale of liquor near Cross Roads' church in said county; both of which are referred to the committee on Propositions and Grievances.

Mr. Reynolds asks for and obtains leave to record his vote in the affirmative on the motion to table H. B. 90, laid on the table by this House yesterday.

Mr. Hobbs is announced as detained from his seat in the House to-day by sickness.

REPORTS OF COMMITTEES.

Mr. Foard, from the committee on the Judiciary, reports unfavorably on

H. B. 380, a bill to amend section 46, chapter 162, laws of 1876–'77.

Mr. Ardrey, from the committee on Agriculture, &c., reports favorably on

H. B. 425, a bill to make the Tuckasiege river in Jackson county, a lawful fence; and on

H. B. 368, a bill to establish stock regulations in sections that may so elect.

Mr. Leatherwood, from the committee on Railroads, Post-roads, &c., reports on

H. B. 434, a bill to exempt ministers of the gospel from working on the public roads, recommending its reference to the joint select committee on Public Roads; and also a similar report on

H. B. 10, a bill in regard to public roads.

Mr. Richardson of Columbus, from the committee on Finance, recommends the reference of

H. B. 438, a bill to save the tax-payers $3,700; and unfavorably on

H. B. 405, a bill for the relief of the sureties of E. A. Wilson, late sheriff of Pitt county; and on

H. B. 410, a bill to regulate the rate of interest.

Mr. Holt, from the Committee on Corporations, reports on

H. B. 63, a bill to amend chapter 10, private laws of 1876–'77, recommending a substitute therefor; favorably on

H. B. 445, a bill to incorporate the Trustees of Riverside Camp Ground, Ashe county; on

H. B. —, a bill to incorporate the town of Forestville, Wake county; and on

H. B. 423, a bill to incorporate the Truestees of Brook's Chapel Camp Ground, Cleaveland county; on

H. B. 211, a bill to incorporate the State University Railroad, recommending its reference to the committee on Railroads, Post-roads, &c.; and unfavorably on

H. B. 392, a bill to provide a government for the town of Ridgeway.

Mr. Clarke, from the committee on the Judiciary, reports favorably on

H. B. 298, a bill to allow the Commissioners of Craven county to fund their debt, and for other purposes; on

H. B. 46, a bill to allow the commissioners of Caldwell county to levy a special tax; and on

H. B. 400, a bill to allow Justices of the Peace to issue process in certain cases to any county in this State.

Mr. Carter of Buncombe, from the committee on the Judiciary, reports favorably on

S. B. 129, H. B. 429, a bill to amend section 1, chapter 219, laws of 1876–'77; and unfavorably on

H. B. 232, a bill to amend section 1, chapter 283, laws of 1876–'77; on

H. B. 382, a bill to amend chapter 70, laws of 1874–'75; on

H. B. 235, a bill to amend section 5, article 5, Constitution of the State of North Carolina; on

H. B. 108, a bill in relation to the case of the State of North Carolina against George W. Swepson and M. S. Littlefield; and recommending the reference of

H. B. 393, a bill to authorize the commissioners of Brunswick county to submit to the people of that county the question of changing the county seat, to the committee on Counties, Cities, Towns and Townships.

Mr. Norment, from the committee on the Judiciary, reports unfavorably on

H. B. 381, a bill to exempt ministers from the payment of poll tax.

Mr. Clarke, from the committee on Internal Improvements, reports favorably on

H. R. 83, a resolution asking Congress for an appropriation of $20,000 for the purpose of improving White Oak river and to establish a port of entry at Swansboro, Onslow county.

Mr. Lockhart, from the Committee on Propositions and Grievances, reports favorably on

H. B. 225, a bill to provide for the repairing of the quarantine hospital at Smithville; and on

H. B. 387, a bill to indict attorneys who abuse their trust; unfavorably on

H. B. 136, a bill to protect game in Granville county; on

H. B. 433, a bill to regulate the rates of interest on money; on

H. B. 332, a bill to restore to justices of the peace jurisdiction in certain cases; on

H. B. 406, a bill for the relief of draymen from special tax; on

H. B. 409, a bill to stop the collection of all debts for twelve months; and on

H. B. 189, a bill to repeal an act ratified 22d day of March, 1875, known as H. B. 422; and

Recommending the reference of H. B. 416, a bill for the protection of livery stable and inn keepers, to the committee on the judiciary;

H. B 388, a bill to provide for working all public roads, to the Joint Select Committee on Public Roads; and

H. B. 28, a bill to repeal an act, section 1, chapter 105, laws of 1876–'77, and insert an act in its stead, to the Committee on the Fish Interest.

Mr. Jones, from the Special Committee in regard to the inauguration of Governor Jarvis, submits a report which is adopted.

The following Bills and Resolutions are reported as correctly enrolled by the committee on Enrolled Bills, and are duly ratified by the Speaker of this House and transmitted to the Senate:

An act to amend chapter 36, laws of 1876–'77;

An act to amend chapter 83 of private laws of 1876–'77;

A resolution concerning the free navigation of Cape Fear River;

An act to amend chapter 48, Battle's Revisal;

An act for the punishment of the crime of incest;

An act to repeal an act to provide a fund for the payment of jurors of Alleghany and Clay counties, being chapter 102, laws of A. D. 1876–'77, ratified 16th day of February, A. D. 1877;

An act to change the time of the terms of the superior courts of the counties of Gates and Hertford.

A resolution in favor of John S. Hampton;

An act to incorporate Payne's Benevolent Society in Rutherford county;

An act to amend the charter of Davidson College;

An act to amend section 1 of chapter 260, laws 1876–'77;

An act to legalize the acts of the board of county commissioners of Wilkes county, at a meeting on 16th December, 1878.

Mr. English, from the committee on Engrossed Bills, reports the following House bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 426, a bill to be entitled an act to amend chapter 67, laws of 1876–'77, it being an act for the protection of fish in Waccamaw Lake and adjacent waters;

H. B. 35, a bill to be entitled an act to amend an act to aid in the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow Gauge Railroads, and for other purposes;

H. B. 482, a bill to be entitled an act to change the times of holding the Superior Courts of Jones and Pitt counties;

H. B. 103, a bill to be entitled an act to amend the charter of the North Western North Carolina Railroad, for the construction of a Second Division from the towns of Winston and Salem, in Forsythe county, up the Yadkin River valley by Wilkesboro, to Patterson's factory in Caldwell county;

H. B. 25, a bill to be entitled an act to protect game in Union, Granville, Davie, Wilson, Duplin, Robeson, Cumberland and other counties in this State;

H. B. 43, a bill to be entitled an act to incorporate the Bank of Asheville;

H. B. 155, a bill to be entitled an act to establish a State line between the States of North Carolina and Georgia;

H. B. 216, a bill to be entitled an act to amend section 2, chapter 195, laws of 1874–'75, in relation to birds;

H. B. 104, a bill to be entitled an act in reference to sheriffs, superior court clerks and registers of deeds;

H. B. 452, a bill to be entitled an act to secure litigants in the courts of justices of the peace a more speedy determination of their rights;

H. B. 457, a bill to be entitled an act to make the killing of live stock indictable.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Pettipher, a resolution of instruction to the committee on Penal Institutions in regard to the care and treatment of convicts;

By Mr. Harrell, a resolution to require commissioners to sell certain State property to report to this General Assembly;

By Mr. Turner, a resolution concerning the bar; and

By Mr. Reynolds, a resolution in regard to the establishment of one or more orphan houses in the State;

By Mr. Henderson, a resolution instructing our members of Congress, which is referred to the committee on Propositions and Grievances.

INTRODUCTION OF BILLS.

By Mr. Dimsdale, a bill to allow persons confined in the county jail for costs to be hired out by the county commissioners;

By Mr. Burroughs, a bill to authorize the State Treasurer to refund the excess of taxes paid by Richard Martin; both of which are referred to the Committee on Finance.

By Mr. Mebane, a bill to authorize the commissioners of the town of Graham, Alamance county, to levy a license tax

on retailers of spirits in said town, which is placed on the Calendar.

By Mr. Blocker, a bill to prescribe the mode of selling tar;

By Mr. Orchard, a bill to prevent live stock running at large in Rowan and Cabarrus counties, and a portion of Iredell county;

By Mr. Newell, a bill to prescribe the rates of ferryage in Bladen county; all of which are referred to the committee on Agriculture, &c.

By Mr. Bernard, a bill for the benefit of jurors and witnesses in cases of homicide;

By Mr. Clarke, a bill to allow the removal of cases from one Justice of the Peace to another; both of which are referred to the committee on the Judiciary.

By Mr. Roberson, a bill to save the tax-payers of North Carolina $4,750 per annum in clerk hire, which is referred to the committee on Salaries and Fees.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Orchard, a bill to prohibit the sale of produce between sunset and sun rise in Rowan and Iredell counties;

By Mr. Pettipher, a bill to allow the citizens of Newbern to build a footway across Trent river;

By Mr. Lewis, a bill to prohibit the sale of liquor within two miles of Pleasant Grove, Nash county; and

By Mr. Clarke, a bill to prevent the felling of trees in Neuse and Trent rivers and other streams in Craven, Jones, Lenoir, Greene, Onslow, Pamlico, Carteret, Robeson and Pitt counties;

By Mr. Ardrey, a bill to incorporate the town of Matthews, Mecklenburg county;

By Mr. Amis, a bill to amend an act incorporating the North Carolina Border Railroad Company; both of which are referred to the committee on Corporations.

By Mr. Clarke, a bill to protect the young fish in the

waters of North Carolina, which is referred to the committee on Fish Interest.

THE MORNING HOUR HAVING EXPIRED,

On motion of Mr. Lockhart,

H. B. 449, a bill supplemental to an act to change the time of holding the Superior Courts in the 4th Judicial District, is put on its readings and passes, and is ordered to be transmitted to the Senate without engrossment; and it is so transmitted.

On motion of Mr. Ardrey,

H. B. 338, a bill to reduce the expenses of the Agricultural Department, is ordered to be withdrawn from the committee and to be printed.

On motion of Mr. Rawley,

S. B. 178, a bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock of a railroad, is put on its third reading, and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Angier, Ardrey, Bateman, Battle, Bernard, Bingham, Bizzell, Blocker, Bonner, Bost, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Colwell, Council, Covington, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Ferrell, Foard, Foster, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Holt, Horton, Jones, Johnston, Lamb, Leatherwood, Lewis, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Venable, Wheeler, Wimberly, York, and Young—79.

Nays—Messrs. Barringer, and Carter of Warren—2.

Mr. Clarke moves to suspend the rules to take up H. B.

298, a bill to authorize the commissioners of Craven county to fund their debt and to issue bonds, and for other purposes.

Mr. Anderson moves to amend the motion by adding that for the rest of the day the Calendar be placed at the disposition of the Speaker. The motion, as amended, is adopted, and

H. B. 298 is put on its passage, and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Bingham, Bizzell, Blocker, Bost, Brown of Yadkin, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Colwell, Council, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Ferrell, Foard, Foster, Fulcher, Harrell, Harrison, Henderson, Hewett, Hines, Holt, Horton, Jones, Johnson, Lamb, Leatherwood, Lewis, Lowry, Melson, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Wheeler, Wimberly, and Young—69.

Nays—Messrs. Amis, Bonner, Burroughs, Etheridge, Goldston, and Turner—6.

THE CALENDAR

is then taken up, and

H. B. 192, a bill to keep the public roads of Jones county in good order, on motion of Mr. Bost is laid on the table.

H. B. 292, a bill respecting the collection of railroad taxes in Forsythe county, on motion of Mr. Anderson is laid on the table.

Mr. Turner moves that the vote by which H. B. 192 was laid on the table be reconsidered; and, on a division, reconsideration is had. Mr. Holt moves that the considera-

tion of the bill be postponed for one week; and it so ordered by the House.

By consent, Mr. Amis introduces a bill, accompanied by a petition to prohibit the sale of intoxicating liquors within three miles of Geneva Church, in Granville county, which is referred to the committee on Propositions and Grievances.

H. B. 215, a bill in favor of Madison county, on motion of Mr. Richardson of Columbus, is postponed for one week, and made special order for February 11th, at 1 P. M.

H. B. 262, a bill to continue in force the act to establish normal schools, and for the purpose of extending its benefits to females, is put on its readings.

Mr. McLean submits the following amendment:

"And that a preparatory department may be established in connection with the colored normal school."

The amendment is adopted; and as amended, the bill passes its several readings, and is ordered to be engrossed and sent to the Senate.

Mr. Jones makes a motion that the vote by which the bill passes its third reading be reconsidered, and that motion be laid on the table; and the motion to table prevails.

H. B. 217, a bill to amend chapter 25, Battle's Revisal, providing compensation for jurors summoned to hold inquests, on motion of Mr. Bernard, is referred to the committee on the Judiciary.

H. B. 229, a bill to change the line between the counties of Ashe and Watauga, is taken up, and, with an amendment offered by Mr. Council, is referred to the committee on Propositions and Grievances.

H. B. 231, a bill to regulate insurance in the State, is put on its readings.

Mr. Ardrey moves to substitute the word "conclusive" for the words "*prima facie*," which is accepted by the introducer of the bill; and as amended the bill passes its several

readings, and is ordered to be engrossed and sent to the Senate for concurrence.

A MESSAGE FROM THE GOVERNOR

is announced, covering a communication from the Attorney General in relation to the State's interest in the Roanoke Navigation Company, which, on motion, is transmitted by message to the Senate with a proposition to print.

THE FIRST SPECIAL ORDER,

H. B. 158, a bill to amend chapter 104 of Battle's Revisal, and regulate the manner of laying off public roads, is anannounced, and, on motion of Mr. Richardson of Columbus, is referred to the committee on Public Roads.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 268, a bill to amend chapters 20, 35 and 76, of Battle's Revisal; and

S. B. 128, a bill to incorporate the Bennettsville and Hamlet Railroad Company.

They are read for the first time in this House, and S. B. 268 is referred to the committee on the Judiciary, and S. B. 128 to the committee on Internal Improvements.

THE SECOND SPECIAL ORDER,

H. B. 165, a bill to regulate the practice of dentistry, &c., is announced.

Mr. Ellison offers the following amendment:

"*Provided*, that no one applying for a license to practice dentistry shall be denied such license on account of race, color or previous condition of servitude."

The question is on the amendment of Mr. Norment to strike out "thirty dollars" and insert "ten dollars," which amendment was adopted.

On motion of Mr. Norment, the clause of the section making it a misdemeanor to practice dentistry outside of the provisions of this act, was stricken out.

The question then recurs on Mr. Ellison's amendment.

Mr. Blocker moves to lay the bill on the table, and, on that motion, demands the ayes and nays. The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Barringer, Bateman, Bingham, Blocker, Brown of Yadkin, Bryson, Cale, Carter of Warren, Carroll, Carson, Cary, Christmas, Colwell, Davis of Haywood, Dimsdale, Dixon, Dunn, Ferrell, Foster, Fulcher, Goldston, Harrison, Henderson, Horton, Leatherwood, Lowry, Lutterloh, Mebane, Miller, Newell, Osborne, Paxton, Powers, Richardson of Columbus, Ritchey, Roberson, Scott, Turner, Wimberly, Wynne, York, and Young—42.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Battle, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Clarke, Cooke, Council, Deans, Ellison, English, Foard, Grant, Hewett, Hines, Holt, Johnson, Lamb, Lewis, Lindsay, Lockhart, Melson, Moore, McLean, Norment, Oliver, Orchard, Pettipher, Rawley, Richardson of Wake, Smith, Taylor, and Wheeler—44.

On the passage of the bill on its second reading, Mr. Cooke demands the previous question. The call is sustained and the main question is put.

The question then is on the amendment of Mr. Ellison, which is adopted.

The question is then put on the passage of the bill as amended, and on a division, there are 41 ayes, 41 nays, and Mr. Speaker Vaughan votes in the affirmative, and the bill passes its second reading.

On going to its third reading Mr. York offers the following amendment, which is adopted :

"There shall be no fee for examination of any candidate."

And the bill as amended passes its third reading on a division, by a vote of ayes 53, nays 28, and is ordered to be engrossed and transmitted to the Senate for concurrence.

H. B. 233, a bill for the relief of the blind, is put on its readings, and on motion of Mr. Covington, is made special order for Wednesday, February 12th, at 12 o'clock.

Mr. Bernard moves to adjourn, and the House refuses to adjourn.

H. B 238, a bill for the relief of persons wrongfully imprisoned, comes up.

Mr. Council moves to table bill. Pending consideration of the motion, the House yields to the motion of Mr. Norment to adjourn till to-morrow at 10 o'clock, and H. B. 238 comes up as unfinished business on the motion to table.

TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Feb. 5th, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring.

The reading of the Journal of yesterday is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances :

By Mr. Reynolds, a petition of citizens of Ringwood, Halifax county, against the prohibition of the sale of spirituous liquors in the town of Ringwood;

By the same, a petition of sundry citizens of Halifax county against the prohibition of the sale of liquor in said county;

By Mr. Speaker Moring, a memorial of the Justices of the Peace of Wake in relation to the costs of the suits against Milton S. Littlefield and George W. Swepson; and

By Mr. Venable, a petition from the commissioners of Stokes county in relation to the expenses incurred in the support of lunatics outside of the Penitentiary.

The following are referred to the Joint Committee on the Election of Magistrates:

By Mr. Carson, a petition from citizens of Alexander county asking for the appointment of Milton Baker as a Magistrate for Sugar Loaf Township;

By Mr. Reid of McDowell, a petition from sundry citizens of McDowell asking that H. W. Gillespie be appointed a Justice of the Peace for North Cove Township, in McDowell county;

By Mr. Gatling, a petition from numerous citizens of St. John's township, Hertford county, asing the re-appointment of J. G. Moore as Justice of the Peace for said township; and

By the same, a petition of numerous citizens of New Hope township, Perquimans county, asking the re-appointment of James F. Newby as Justice of the Peace for said county.

And the following are referred to the committee on Finance:

By Mr. Foard, a petition from citizens of Surry county for the relief of William Haymore, late sheriff.

LEAVE OF ABSENCE

is granted for one week from to-day to John H. Hill, Door Keeper of the House; and to

Mr. Roberson until Friday morning, on account of important private business.

REPORTS OF COMMITTEES.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on

H. B. —, a bill to amend chapter 260, laws of 1876–'77, and on

H. B. 462, a bill to prohibit the sale or barter of wheat, rye, oats or corn for spirituous liquors outside of the corporate limits of any town in the counties of Iredell, Rowan or Cabarrus after sunset and before sun-rise; and unfavorably on

H. R. 131, a resolution instructing the members of Congress by the General Assembly of North Carolina; on

H. B. 417, a bill to provide for the re-assessment of real property for taxation in Wake county; on

H. B. 297, a bill to prevent the running at large of cattle on the South side of Trent river, between that river and Brice's Creek, Craven county; on

H. R. 34, a resolution concerning an act to create a sinking fund; on

H. B. 229, a bill to change the line between the counties of Ashe and Watauga; and on

H. B. 467, a bill to allow the citizens of Newbern to build a footway across Trent river.

Mr. Carter of Buncombe, from the committee on the Judiciary, reports favorably on

S. B. 268, H. B. 474, a bill to amend chapters 20, 35 and 76, Battle's Revisal; and unfavorably on

H. B. 469, a bill to allow the removal of cases from one Justice of the Peace to another.

Mr. Carter, from the committee on Internal Improvements, reports on

H. B. 42, a bill to extend the Raleigh and Augusta Air Line R. R., from any point on its line to any point in or

near the city of Charlotte, returning the bill to the House, as the Committee were unable to agree upon a report, this being without prejudice to either side of the question.

Mr. Ardrey, from the committee on Agriculture, &c., reports favorably on

H. B. 444, a bill to protect sheep and raise revenue for public schools.

Mr. English, from the committee on Engrossed Bills, reports the following House bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

A bill to be entitled "An act for the benefit of the Winston, Salem and Mooresville Railroad Company."

INTRODUCTION OF RESOLUTIONS.

By Mr. Foard, a resolution to reimburse Surry county for the maintenance of lunatics, which is referred to the committee on Finance.

By Mr. Richardson of Wake, resolutions of the magistrates of Wake county, which are referred to the committee on Propositions and Grievances.

INTRODUCTION OF BILLS.

By Mr. Horton, a bill to change a portion of the dividing line between Hertford and Bertie counties, which is placed on the Calendar.

By Mr. Brown of Mecklenburg, a bill to amend chapter 48, Battle's Revisal, which is referred to the committee on Agriculture, &c.

By Mr. McCorkle, a bill for the purpose of aiding in the construction of the Winston, Salem & Mooresville R. R., which is referred to the committee on Internal Improvements.

By Mr. Ferrell, a bill to submit to the qualified voters of Wake county whether they will have their Criminal Court

abolished, which is referred to the committee on the Judiciary.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Vaughan, a bill to change the name of the county site of Alleghany county, and incorporate the town of Gentry;

By Mr. Venable, a bill to prohibit the sale of liquor within two miles of State Line Baptist Church, Stokes county;

By Mr. Waddell, a bill to make Purvis' Creek a lawful fence;

By Mr. Cooke, a bill to prohibit the sale of spirituous liquors within three miles of Gardner's Church, Warren county;

By Mr. Cooke, a bill to prohibit the sale of liquor within three miles of Methodist Church in Youngsville, and Flat Rock Church in the county of Franklin; and

By Mr. Cooke, a bill to prohibit the sale of spirituous liquors within the limits of Halifax county.

THE UNFINISHED BUSINESS

of yesterday is announced, being the consideration of the motion made by Mr. Carroll to lay on the table,

H. B. 238, a bill for the relief of persons wrongfully imprisoned.

On the motion to table, Mr. Christmas demanded the ayes and nays; the call is not sustained, and the question is then put on the motion to table, and, on a division, no quorum voted. Mr. Carroll withdrew the motion to table to admit discussion; and subsequently renews it; and the question being again put, the bill is laid on the table.

On motion of Mr. York,

H. R. 122, a resolution of instruction to the committee on Finance, is put on its passage and adopted.

Mr. Amis moves to suspend the rules to take up H. B. 444, a bill to protect sheep and raise revenue for pulic schools, in order to make a motion that the bill be printed. The rules are suspended and the order to print is made.

On motion of Mr. Foard, the Calendar for the rest of the day is put at the disposal of the Speaker.

CALENDAR.

H. B. 46, a bill to allow the commissioners of Caldwell county to levy a special tax, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Coffield, Council, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ferrell, Foard, Foster, Fulcher, Gatling, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, Wimberly, York, and Young—89.

H. B. 341, a bill to allow the county commissioners of Lenoir county to levy a special tax, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of

Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Coffield, Colwell, Council, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Holt, Horton, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, Wimberly, Wynne, York, and Young —92.

Nays—Messrs. Cooke, and Harrison—2.

H. B. 298, a bill to authorize the commissioners of Craven county to fund their debt and issue bonds, and for other purposes, is put on its third reading, and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Dimsdale, Dixon, Dunn, Ellison, English, Ferrell, Foard, Foster, Fulcher, Gatling, Golston, Grant, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterlogh, Melson, Miller, McLean, Newell, Norment, Oliver, Osborne, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, Wimberly, York, and Young—87.

Nays—Mr. Deans—1.

H. B. 308, a bill to amend chapter 45, laws of 1373-'74, is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 296, a bill to punish treasurers of benevolent and religious societies who apply the moneys of such institutions to their own private use, is put on its readings. The amendments proposed by the Committee are adopted, and the bill as amended passes its second reading, and goes to its third.

Mr. Anderson offers the following amendment:

"And who shall fail to account for such moneys when applied for to the use of such purposes."

The amendment is adopted, and the bill as amended passes its third reading and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Cooke, the bill introduced by Mr. Horton at this morning's session is withdrawn from the Calendar, and referred to the committee on Cities, Towns, Townships ond Counties.

And at half-past eleven o'clock the House took a recess of fifteen minutes to prepare for the inauguration of Gov. Jarvis.

JOINT SESSION.

At 12 o'clock, the House is called to order to receive the Senate; which is announced to approach, and is received by the House standing, and assigned to seats.

The Joint Assembly is then called to order by Mr. Dortch of the Senate.

The committee of arrangements then enters, escorting the Governor of the State, and the Governor elect, and the Judges of the Supreme Court.

Prayer is then offered by the Rev. Mr. Black of the city,

after which the oaths of office are administered to Thomas J. Jarvis by Chief Justice Smith, and he subscribes his name, as Governor of North Carolina, to the oaths; after which he delivers an inaugural address.

The joint session then adjourns, and the Senate retires to its chamber.

The House is again called to order at ten minutes before 1 o'clock P. M.

Leave of absence is granted to Mr. Pettipher until the 13th inst.

The announcement of the meeting of committees is made, and, on motion of Mr. Blocker, the House adjourns until to-morrow at 10 o'clock.

TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Feb. 6th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and opens with prayer by the Rev. Mr. Norman of the city.

The Journal of yesterday is approved.

INTRODUCTION OF PETITIONS, &C.

By Mr. Osborne, a petition of the citizens of Blount's Creek District, Chockowinity township, Beaufort county, asking that Chagie W. Mixon, a resident of said District, be appointed a justice of the peace in said township;

By Mr. Lutterloh, a petition from Black River township,

in Cumberland county, to appoint Wm. P. Phillips justice of the peace; and

By Mr. Carson, a petition from citizens of Alexander county, asking for the appointment of W. W. Stopford as a justice of the peace of Wittenburg township in said county, all of which are referred to the committee on appointment of Justices of the Peace.

By Mr. Mebane of Alamance, a petition from citizens of Alamance county, asking for the enactment of a law to allow compensation to all persons who may render service under summons from an officer, &c.; and

By Mr. Angier, a petition from the board of commissioners of Orange county, asking the passage of an act to change the time of holding the Courts of the Fifth Judicial District; both of which are referred to the committee on the Judiciary.

By Mr. Richardson of Columbus, a petition to repeal laws of 1876–'77, prohibiting the sale of spirituous liquors within two miles of Bladenboro depot or Mt. Gilead church in Bladen county;

By Mr. Click, a petition to repeal chapter 123 of the laws of 1872–'73;

By the same, a petition against the repeal of chapter 123, of the laws of 1872–'73, signed by 106 respectable citizens of the town of Statesville;

By the same, a petition from 95 ladies of the town of Statesville against the repeal of chapter 123, of the laws of 1872–'73;

By Mr. Blocker, a petition from citizens of Cumberland county, asking that jurisdiction be given to magistrates in bastardy cases; and

By Mr. English, a petition from citizens of Randolph county, asking for a change in the name of Pleasant Grove township, in said county; all of which are referred to the committee on Propositions and Grievances.

Mr. Goldston presents a protest of the magistrates of Chat-

ham county, against the passage of an act to extend the jurisdiction of magistrates; which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Bernard, from the committee on Counties, Cities, &c., reports favorably, with amendment, on

H. B. 266, a bill to lay off and establish a new county by the name of Richland.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports favorably on

H. B. 421, a bill to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, and for other purposes.

Mr. Lockhart, from the committee on Propositions and Grievances, reports on

H. B. 414, a bill for the relief of sundry citizens of Hertford county, recommending its reference to the committee on Finance; on

H. B. 79, a bill to change the name of the county seat of Alleghany county, and to incorporate the town of Gentry, recommending its reference to the committee on Corporations; favorably on

H. B. 415, a bill to amend chapter 171, laws 1873–'74, in relation to the sale of salt fish; and unfavorably on

H. B. 412, a bill to prevent fraud in the sale of turpentine.

Mr. Clarke, from the Committee on the Judiciary, reports unfavorably on

H. B. 4, a bill to amend the act to lay off the Homestead and Personal Property Exemption, ratified on the 7th of April, 1869.

Mr. Smith, from the committee on Agriculture, &c., reports favorably, with amendment, on

H. B. 466, a bill to prescribe the rates of ferriage in Bladen county.

Mr. Richardson of Columbus, from the committee on Finance, reports unfavorably on

H. B. 437, a bill to amend chapter 284, laws of 1876–'77, concerning the maintenance of lunatics outside of the Insane Asylum; on

H. B. 465, a bill to authorize the State Treasurer to refund excess of taxes paid by Richard Marston; and on

H. R. 117, a resolution in favor of Jonas Beatty; and favorably on

H. B. 457, a bill to allow persons confined in the county jail for costs to be hired out by the county commissioners.

Mr. Cooke, from the committee on the Judiciary, reports on

H. B. 14, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal, recommending a substitute therefor; and a similar report on

H. B. 234, a bill to give certain persons the right of inheritance; and favorably, with amendment, on

H. B. 448, a bill respecting the collection of railroad taxes in Forsythe county.

Mr. English, from the committee on Engrossed Bills, reports the following House Bills and Resolution to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 296, a bill to be entitled "An act to punish treasurers of benevolent and religious institutions," &c.;

H. B. 345, a bill to be entitled "An act to amend an act entitled 'An act to prohibit the sale of spirituous liquors within certain localities,' it being capter 260, laws of 1876–'77, so far as relates to Zion Baptist church, in Halifax county;"

H. B. 262, a bill to be entitled "An act to continue in force the act to establish normal schools, and to extend the benefits to females;"

H. B. 231, a bill to be entitled "An act to regulate insurance in this State;"

H. B. 165, a bill to be entitled "An act to regulate the the practice of dentistry, and to protect the people from quackery in relation thereto, and providing penalties for violation of the same;

H. R. 122, a resolution of instruction to the Finance Committee.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution authorizing the Governor to issue his warrant to pay witnesses in certain cases, which is placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Bizzell, a bill requiring justices of the peace to make annual statements of all fines imposed and collected by them;

By Mr. Covington, a bill to amend chapter 161, laws of 1876–'77, in relation to the probate of deeds and conveyances and the privy examination of married women;

By Mr. Cooke, a bill to amend chapter 243, laws of 1874–'75; and

By Mr. Barringer, a bill defining the time of expiration of the terms of justices of the peace.

By Mr. Wimberly, a bill to incorporate the Rocky Mount Benevolent Aid Society, which is referred to the committee on Corporations.

By Mr. Harrell, a bill to repeal chapter 59, private laws of 1876–'77, which is referred to the committee on Public Buildings and Grounds.

By Mr. Horton, a bill to authorize the commissioners of Hertford county to levy a special tax;

By Mr. Davis of Haywood, a bill to empower the commissioners of Haywood county to build a court house; and

By Mr. Rawley, a bill to amend chapter 106, laws of 1876–'77; all of which are referred to the committee on Finance.

By Mr. Dimsdale, a bill to allow the qualified voters of Polk county to elect five county commissioners and three justices of the peace in each township, which is referred to the committee on County Government.

By Mr. Berry, a bill to prevent the felling of timber in Silver Creek, Burke county; and

By Mr. English, a bill to change the name of Pleasant Grove township, Randolph county; both of which are referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Turner, a bill to repeal section 16 of an act to establish an Agricultural Bureau, which is placed on the Calendar.

By Mr. Cooke, a bill to charter the Norfolk and Elizabeth City Railroad Company, which is referred to the committee on Internal Improvements.

By Mr. Turner, a bill to repeal section 20 of an act to establish an Agricultural Bureau.

By Mr. Click, a bill to repeal an act passed at the session of 1872–'73, being chapter 123; both of which are referred to the committee on Propositions and Grievances.

LEAVE OF ABSENCE

is granted to Mr. Bingham from to-day until Wednesday next; to Mr. Oliver for the same time; to Mr. Hobbs for the same time; to Mr. Miller for the same time; to Mr. Carson from to-morrow until Tuesday; to Mr. Lamb from to-morrow until Monday; to Mr. Newell from to-morrow until Saturday, and to Mr. Foard until Tuesday next.

On motion of Mr. McCorkle, the Calendar is placed at the disposal of the Speaker for the remainder of the day.

The Speaker, Mr. Vaughan in the Chair, places before the

House the special order, which was displaced yesterday by the inauguration of Gov. Jarvis, being

S. B. 50, a bill to prohibit the removal of causes, except when the ends of justice absolutely require it.

Mr. Lockhart offers the following amendment:

"Amend section 3 by adding: '*Provided*, that this act shall not apply to capital cases and to cases of homicide, nor to cases of assault with intent to commit rape.'"

The bill was discussed until the first special order is announced, being

H. B. 101, which, on motion of Mr. Jones, is informally passed over, and the consideration of

S. B. 50 is resumed; and the question is then on the amendment of Mr. Lockhart, upon the adoption of which Mr. Bost demands the ayes and noes. The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Bateman, Battle, Bird, Blaisdell, Bonner, Cale, Christmas, Clarke, Cooke, Covington, Deans, Dixon, Dunn, Ellison, Ewing, Ferrell, Foard, Foy, Gatling, Harrison, Henderson, Horton, Jones, Johnson, Lockhart, Lowry, Newell, Norment, Osborne, Reynolds, Richardson of Wake, Scott, Waddell, Wimberly, and Wynne—35.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Coffield, Colwell, Council, Davis of Haywood, Dimsdale, English, Forbes, Foster, Fulcher, Goldston, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Lamb, Leach, Leatherwood, Lewis, Lindsay, Mebane, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Richardson of Columbus, Ritchey, Smith, Taylor, Turner, Wheeler, Woodhouse, York, and Young—66.

Mr. Anderson moves to suspend the rules to put the bill on its third reading, and, on a division, the House refuses

to suspend the rules by a vote of 51 ayes to 29 nays, not a two-thirds majority, as required.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. R. 371, asking for additional appropriations of Congress for opening and improving rivers in North Carolina.

It is read the first time in this House and placed upon the Calendar.

A MESSAGE FROM THE SENATE

is also received, transmitting

S. B. 400, a bill to amend an act to reduce and regulate the act of Public Printing, ratified the 18th day of January, 1879.

It is read the first time in this House, and referred to the committee on Printing.

Senate Resolution 291, a resolution asking for a report from the committee on Charitable Institutions, is put on its passage and passes, and is ordered to be enrolled for ratification.

S. R. 371, a resolution asking additional appropriations from Congress, &c., is put on its readings and passes, and is ordered to be enrolled for ratification.

H. B. 183, a bill to provide for the better drainage of the low lands of Silver Creek, in Burke county, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 42, a bill to extend the Raleigh and Augusta Air Line Railroad from any point on its line to any point in or near the city of Charlotte, comes up on its second reading;

Mr. Covington moves to postpone farther present consideration of the bill, and make it special order for to-morrow at 12 o'clock.

Mr. Brown of Mecklenburg, moves to amend the motion by substituting Tuesday of next week at 11 o'clock; the amendment is accepted; and as amended, is made the order of the House.

Leave of absence, on motion of Mr. York, is granted to the committee on the Insane Asylum for to-morrow.

THE CALENDAR IS RESUMED.

H. B. 329, a bill to authorize the election of a road surveyor for Watauga county, is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 63, a bill to amend chapter 10, private laws of 1876–'77, is put on its readings.

Mr. Etheridge moves to adjourn. The question is put on the motion and lost.

The question is then put on the substitute for H. B. 63, offered by the committee, which is adopted; and the bill so substituted, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 189, a bill to repeal an act ratified the 22nd day of March, 1875, and known as H. B. 422, is, on motion of Mr. Armstrong, laid on the table.

On motion of Mr. Coffield, the order of the House making H. B. 42 the special order for Tuesday next, at 11 A. M., is reconsidered; and on his additional motion, the bill is made the special order for Wednesday next at 11 A. M.

H. B. 230, a bill to amend chapter 65, sub-division 18, line 5, in reference to lien on colts, is put on its readings and passes, and on motion of Mr. Anderson, is ordered to be sent to the Senate without engrossment.

On motion of Mr. Vaughan, the use of this Hall is granted for to-morrow evening at 8 o'clock to ex-Gov. Vance for the purposes of a lecture in behalf of the Orphan Asylum.

Mr. Holt is announced as added to the committee on Finance; and on motion of Mr. Woodhouse, the House adjourns until to-morrow morning at 10 o'clock.

TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, Feb. 7, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is partly read and stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Angier, a petition from citizens of Orange county to prohibit the sale and giving away of spirituous liquors within three miles of Bethel Church, in the county of Orange;

By Mr. Reynolds, a petition from citizens of Littleton asking the repeal of the law prohibiting the sale of liquors near that town;

By Mr. Carter of Warren, a petition from citizens of Warren county against the prohibition of the sale of liquors near Church Hill or Gardner's Chapel;

By Mr. Grant, two petitions from citizens of Northampton county praying that the prohibitory law be repealed; and by the same gentleman, four petitions from the same county asking that the prhibitory law be not repealed;

By Mr. Blaisdell, a petition of the commissioners of Perquimans county, in relation to the maintenance of Lemuel Barclift and Quinton Sanders, lunatics, which is referred to the committee on the Insane;

By Mr. Henderson, a petition from the Western Carolina Educational Society, which is referred to the committee on Education;

By Mr. Woodhouse, a petition from citizens of Pasquotank county, praying the General Assembly to grant a new charter for a railroad from Elizabeth City to Norfolk, which is referred to the committee on Internal Improvements;

By Mr. Burroughs, a petition for the formation of a new county to be called Gilliam; and

By Mr. Hines, a petition of sundry citizens of Sampson county against the formation of the new county Vance; both of which are referred to the committee on Cities, Towns, Townships and Counties;

By the same, a petition from sundry citizens of Dismal township, asking the appointment of Jesse Williams as a Justice of the Peace; and

By Mr. Dunn, a petition from citizens of Lenoir county, asking for the appointment of William A. Craven as a Justice of the Peace; both of which are referred to the Joint Committee on Election of Justices of the Peace; and

By Mr. Henderson, a petition to prohibit the incorporation of Tabernacle Church; which is referred to the committee on Corporations; and

By Mr. Turner, a petition, with accompanying resolution, asking Congress to refund the tax collected in Orange county in 1865.

REPORTS OF COMMITTEES.

Mr. Bryson, from the committee on Claims, reports on H. R. 89, a resolution of instruction to the committees to

adopt as a standard for the fixing of the salaries, fees and expenditures of the State officers, the salaries and fees of 1860, recommending its reference to the committee on Salaries and Fees.

Mr. Gatling, from the committee on Finance, reports favorably, with amendment, on

H. B. 492, a bill to empower the commissioners of Haywood county to build a court house.

Mr. Amis, from the committee on Salaries and Fees, reports favorably on

S. B. 159, H. B. 396, a bill to abolish the tax fees of Attorneys charged in bills of cost in civil suits.

Mr. Richardson of Columbus, from the committee on Finance, reports unfavorably on

H. R. 133, a resolution to reimburse Surry county for the maintenance of lunatics.

Mr. English, from the committee on Education, reports favorably on

H. B. 374, a bill to establish normal schools at Trinity and Davidson Colleges; and unfavorably on

H. B. 112, a bill to establish a normal school for each race in each Congressional District in this State.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

H. B. 481, a bill to make Purvis creek a lawful fence; on

H. B. 497, a bill to repeal section 20 of an act to establish an Agricultural Bureau, &c.; and on

H. B. 484, a bill to prohibit the sale of spirituous liquors within the limits of Halifax county; and unfavorably on

H. B. 498, a bill to repeal an act passed at the session of 1872–'73, being chapter 123.

Mr. Bernard, from the committee on Counties, Cities, Towns and Townships, reports on

A petition of citizens of Pamlico county against the annexation of Goose Creek Island to Beaufort county, recommending that no legislation be taken in the matter, and

that Goose Creek Island remain, as it is now, in Pamlico county; favorably on

H. B. 494, a bill to prevent the felling of timber in Silver creek, Burke county; and unfavorably on

H. B. 435, a bill in regard to paupers and insane.

The committee on Enrolled Bills reported the following bills and resolutions as correctly enrolled, viz:

An act for the relief of prisoners in the common jails of this State;

An act supplemental to an act to change the time of holding the superior courts in the fourth judicial district;

An art declaratory of the meaning of an act entitled "An act in relation to probate of deeds and the privy examination of married women;"

An act to allow Leaksville township, in Rockingham county, to subscribe to the capital stock in a railroad;

An act for the relief of sheriffs and tax-payers;

An act to amend chapter 255 of the acts of 1876–'77, entitled "An act to divide the State into nine judicial districts."

Mr. English, from the committee on Engrossed Bills, reports the following bills and resolutions as having been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 298, a bill to be entitled act to authorize the commissioners of Craven county to fund their debt and to issue bonds, and for other purposes;

H. B. 308, a bill to be entitled an act to amend chapter 45, laws of 1873–'74;

H. R. 64, a resolution requesting our Senators and Representatives in Congress to urge an appropriation to open Waccamaw river.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Turner, a resolution concerning the indictment of Judge Watts;

By Mr. Turner, a resolution regarding the hour of meeting and adjourning;

By Mr. Turner, a resolution instructing our Congressional delegation; and

By Mr. Blaisdell, a resolution in regard to the Albemarle and Chesapeake Canal Company.

INTRODUCTION OF BILLS.

By Mr. Amis, a bill concerning salaries and fees, which is placed on the Calendar.

By Mr. Coffield, a bill to reimburse Harnett county for supporting her insane outside of the Lunatic Asylum; and

By Mr. Blaisdell, a bill to reimburse Perquimans county; both of which are referred to the committee on Claims.

By Mr. Blocker, a bill to prevent overcharges in the sale of produce; and

By Mr. Bernard, a bill for the benefit of sheep husbandry; both of which are referred to the committee on Agriculture, &c.

By Mr. Carroll, a bill to amend chapter 152, laws of 1871–'72, relating to the fish interest in Black and South rivers, which is referred to the committee on Fish Interest.

By Mr. Taylor, a bill to amend section 3, chapter 154, laws of 1876–'77; and

By Mr. Hines, a bill to alter the Constitution of the State; both of which are referred to the committee on the Judiciary.

By Mr. Mebane, a bill to regulate the salaries of State officers, which is referred to the committee on Salaries and Fees.

By Mr. Burroughs, a bill to establish Gilliam county, which is referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Amis, a bill to repeal chapter 143, laws of 1872–'73, and chapter 63, laws of 1874–'75, in regard to the boundary line of Granville and Franklin counties; and

By Mr. Angier, a bill to prohibit the selling or giving away of liquor, or the making of it, within three miles of Bethel church, Orange county; both of which are referred to the committee on Propositions and Grievances.

By Mr. Clarke, a bill concerning wholesale dealers in spirituous liquors, regulating the tax thereon, which is referred to the committee on Finance.

LEAVE OF ABSENCE

is granted to Mr. Horton for one week from to-day until Wednesday;

To Mr. Lowrey until Wednesday next;

To Mr. Moore for the same time;

To Mr. Dixon for the same time;

To Mr. Scott until Tuesday;

To Mr. Grant until Tuesday, and

To Mr. Bizzell for the same time.

The Calendar is taken up, and

H. B. 367, a substitute for H. B. 139, a bill to change the name, and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, is taken up on its second reading, Mr. Vaughan, Speaker *pro tem.*, being in the chair.

Mr. Norment offers the following amendment, which is accepted:

Amend section 4 by striking out lines 5 and 6, and insert "shall place one hundred of the convicts provided for in this act to the construction of said road West of Greensboro, as soon as the sum of ten thousand dollars shall be secured, and ten per cent. thereon paid to the treasurer of said railroad company."

Mr. Lindsay offers the following amendment:

"Amend by striking out section 9."

Mr. Cooke moves to recommit the bill, and sends forward the following amendment to be considered by the committee:

"*Provided*, That after the expiration of the year for which the present Board of Directors shall have been appointed, the State shall be entitled to five Directors, and the private stockholders shall be entitled to two Directors."

The question is then put on the motion of Mr. Cooke to recommit, and the House refuses to recommit.

The question recurs on Mr. Lindsay's amendment, to which Mr. Scott offers the following as an amendment, which is read for information:

"*Provided*, a first mortgage of fifty thousand upon said railroad shall be accepted by the Attorney General of North Carolina prior to the money being paid."

Mr. Rawley offers the following as an amendment to Mr. Lindsay's amendment:

"Make section 9 read thus, beginning in line 8: The Public Treasurer is hereby authorized and directed to endorse mortgage bonds issued by said company to the amount of $50,000 payable five years from date with interest at 6 per cent. per annum, payable semi-annually: *Provided*, &c."

The question is then put on the amendment of Mr. Lindsay, upon which Mr. Turner calls the ayes and nays. The call is not sustained, and on a division the amendment is rejected, ayes 22, nays 47.

The question is put on the amendment of Mr. Scott, which on a division is rejected by a vote of 29 ayes to 32 nays.

Mr. Richardson of Columbus, offers the following amendment:

"*Provided,* that nothing in this bill or any previous bill passed by the Legislature of North Carolina shall be construed so as to allow the directors of the said railroad company to mortgage the same for more than fifty thousand dollars, and the proceeds of said bonds shall be applied to the payment of the present indebtedness of said railroad company."

Mr. Clarke offers the following amendment to the amendment:

"That said road shall be divided into two divisions, to be called Eastern and Western Divisions; and that the Eastern Division shall consist of the fifty miles of railroad already completed; and that the said fifty thousand advanced by the State shall be a first mortgage upon said fifty miles so completed, to the exclusion of all other mortgages; and that no other first mortgage bonds shall be issued upon said Eastern Division."

THE SPECIAL ORDER,

being H. B. 69, a bill to amend the Constitution in regard to the support of lunatics, &c., is announced, and on motion of Mr. Clarke is postponed until the business before the House is disposed of.

The question then recurs on the amendment of Mr. Clarke, which is put and lost.

The question is then put on the amendment of Mr. Richardson of Columbus.

Mr. Turner offers the following amendment:

Amend by adding "the bonds shall not be sold for less than par."

On the passage of the bill, Mr. Goldston demands the previous question. The call is sustained and the main question is ordered.

The question then recurs on the amendment of Mr. Turner. Upon the adoption of the amendment Mr. Turner demands the ayes and nays. The call is sustained, and the amendment receives the following vote:

Ayes—Messrs. Amis, Angier, Bateman, Battle, Berry, Bizzell, Bruce, Buchan, Burroughs, Carter of Warren, Carroll, Cary, Christmas, Cooke, Covington, Deans, Dixon, Dunn, Gatling, Grant, Harrison, Hines, Horton, Huffstetler, Lewis, Lindsay, Mebane, Melson, Osborne, Powers, Richardson of Columbus, Roberson, Smith, Taylor, Turner, Wheeler, Woodhouse, Wynne, and Young—39.

Nays—Messrs. Ardrey, Armstrong, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bryson, Cale, Carter of Buncombe, Chadwick, Clarke, Coffield, Colwell, Council, Davis of Haywood, Ellison, English, Ferrell, Foster, Foy, Fulcher, Goldston, Harrell, Henderson, Hewett, Jones, Leatherwood, Lowry, Lutterloh, Orchard, Paxton, Rawley, Reid of Macon, Reynolds, Ritchey, Scott, Venable, White, and Wimberly—39.

And the Chair, Mr. Vaughan, votes in the negative, and the amendment is rejected.

Mr. Forbes voted in the negative, but his response was inaudible, and was not recorded in its proper place.

The question then recurs on the amendment of Mr. Richardson of Columbus, upon the adoption of which Mr. Turner demands the ayes and nays. The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Amis, Bateman, Bernard, Bird, Bizzell, Bonner, Bruce, Burroughs, Carroll, Christmas, Cooke, Covington, Deans, Dixon, Dunn, Fulcher, Gatling, Grant, Har-

rison, Hines, Leach, Lewis, Lindsay, Mebane, Melson, Osborne, Richardson of Columbus, Roberson, Smith, Turner, Wheeler, Woodhouse, and Young—33.

Nays—Messrs. Angier, Ardrey, Armstrong, Battle, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Cary, Chadwick, Coffield, Colwell, Council, Davis of Haywood, Dimsdale, Ellison, English, Ewing, Ferrell, Forbes, Foster, Foy, Goldston, Harrell, Henderson, Hewett, Horton, Huffstetler, Jones, Leatherwood, Lowry, Lutterloh, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reynolds, Ritchey, Scott, Taylor, Venable, Waddell, White, and Wimberly—50.

The question then recurs on the amendment of Mr. Cooke, which is adopted on a division by a vote of ayes 49, nays 27.

And the bill is then put on its second reading and passes by the following vote:

Ayes—Messrs. Angier, Ardrey, Armstrong, Atkinson, Battle, Bernard, Berry, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Cary, Chadwick, Christmas, Clarke, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Deans, Dixon, Ellison, English, Etheridge, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Goldston, Harrell, Henderson, Hewett, Horton, Huffstetler, Jones, Leatherwood, Lowry, Lutterloh, Norment, Paxton, Rawley, Reid of Macon, Reynolds, Ritchey, Taylor, Venable, Waddell, White, and Wimberly—59.

Nays—Messrs. Amis, Bateman, Bird, Bizzell, Bonner, Burroughs, Carroll, Dunn, Gatling, Grant, Harrison, Hines, Leach, Lewis, Mebane, Melson, Orchard, Osborne, Powers, Richardson of Columbus, Roberson, Smith, Turner, Wheeler, Woodhouse, Wynne, and Young—27.

By consent, Mr. Bernard makes a report upon

H. B. 475, a bill to change a portion of the dividing line between the counties of Hertford and Bertie, recommending the passage of the bill.

THE SPECIAL ORDER,

being H. B. 164, a bill to change the Constitution of North Carolina in relation to the support of the deaf mutes and the insane of the State, is again announced, and after prolonged discussion, on motion of Mr. Cooke, is postponed and made the special order for Thursday next, at 11 o'clock A. M.

On motion of Mr. Cooke, the rules are suspended, and

H. B. 475, just reported from the committee on Cities, Towns, Townships, &c., is put on its several readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Amis, the rules are suspended, and

H. B. 502, a bill concerning salaries and fees, is withdrawn from the Calendar and ordered to be printed.

The meetings of committees are announced, and on motion of Mr. Jones, the House adjourns until to-morrow at 10 o'clock.

TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, Feb. 8th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Moring, and opens with prayer by the Rev. Mr. Gwaltney of the city.

The reading of the Journal is dispensed with, and it stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Bateman, a petition signed by 48 citizens living near Free Chapel church, in Washington county, asking the prohibition of the sale of liquors within three miles of said church; and, by the same, another petition from 53 citizens of Washington county to the same effect.

The following to the committee on Finance:

By Mr. Richardson of Columbus, a petition of the chairman of the board of county commissioners and citizens of Bladen county, asking the Legislature to allow them to fund the debt of said county; and

By Mr. Paxton, a petition of citizens of Transylvania county, asking to levy a special tax to build a court house and jail.

The following to the Judiciary Committee:

By Mr. Melson, a bill asking the reduction of the bond of the Superior Court clerk of Tyrrell county.

The following to the committee on Internal Improvements:

By Mr. Covington, a petition from citizens of Union county to prevent the desecration of the Sabbath.

The following to the committee on the appointment of Justices of the Peace:

By Mr. Osborne, a petition of citizens of Bath township, Beaufort county, asking the appointment of John W. Stewart as Justice of said county; and by Mr. Click, a memorial, exhibiting a list of magistrates desired for Iredell county.

The following to the committee on Agriculture:

By Mr. Bost, a petition from citizens of Rowan county, asking for a stock law; and

By Mr. Click, twelve petitions from citizens of Iredell county, asking for a stock law.

REPORTS OF COMMITTEES.

Mr. Amis, from the committee on Salaries and Fees, reports on

H. B. 33, a bill to reduce the salaries of State officers, reports that there will be an introduction of a general bill in regard to State officers; on

H. B. 50, a bill to amend section 28, chapter 105, Battle's Revisal, recommends that no action be taken, as the ground is covered by a general bill; on

H. B. 323, a bill to reduce fees of county officers, the same recommendation is made; on

H. B. 510, a bill to regulate the salaries of State officers, the same report is made; on

H. B. 461, a bill to save the tax-payers of North Carolina $4,700 per annum in clerk hire, the same report; on

H. B. 438, a bill to save the tax-payers $3,700 per annum, recommending its reference to the committee on Retrenchment and Reform; on

H. R. 120, resolution in favor of the reduction of salaries and fees, recommending no action, as a general bill reaches the matter; on

On H. R. 108, a resolution concerning the salaries of superintendents of convicts on public works, and the amount allowed for feeding the same, recommending its reference to the committee on Retrenchment and Reform; on

H. R. 54, a resolution of instruction to the joint committee on Retrenchment and Reform, concerning the reduction of fees and salaries of all officers in the State and counties, recommending that no action be taken, as a general bill reaches the matter; on

H. R. 13, a resolution in favor of practical reform, is given its due weight in the general bill;

The petition from the Magistrates of Franklin county on

the subject of salaries and fees, is given its due weight in the general bill; a minority report on

S. B. 159, H. B. 396, is submitted by Messrs. Berry, Young and Taylor, protesting against its passage.

Mr. Jones, from the committee on Corporations, reports on

H. B. 468, a bill to amend the act incorporating the North Carolina Border Railroad Company, recommending its reference to the committee on Internal Improvements.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

H. B. 447, a bill to punish the entering of dwelling houses in the night, otherwise than by breaking; on

S. B. 134, H. B. 454, a bill defining the jurisdiction of Judges of the Superior Courts as to granting of injunctions and restraining orders and appointment of receivers; on

S. B. 207, H. B. 91, a bill to amend sub-section 9, section 33, Code of Civil Procedure; on

S. B. 219, H. B. 428, a bill to amend chapter 27, Battle's Revisal; and unfavorably on

H. B. 116, a bill to alter the Constitution of North Carolina in relation to the insane; and favorably, with amendment, on

H. B. 258, a bill to change the time of holding the Superior Courts of the Fifth Judicial District;

H. B. 48, a bill to repeal the law providing for the maintenance of lunatics outside of the Insane Asylum, recommending the passage of the bill with the adoption of an accompanying substitute; on

H. B. 416, a bill for the protection of livery stables and inn-keepers, a similar report; and unfavorably on

S. B. 259, H. B. 431, a bill prescribing the mode for the qualifications of attorneys, who have been licensed to practice law in the Courts of the State; and on

H. B. 420, a bill to establish the compensation of solicitors.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 464, a bill to incorporate the town of Matthews, Mecklenburg county.

Mr. Fulcher, from the committee on Fish Interest, reports adversely on

The petition to prohibit sein-hauling in Pamlico and Tar rivers in certain seasons; on

S. B. 98, H. B. 299, a bill to prevent the destruction of turtles, terrapins and marsh fowls in the county of Brunswick, favorably, with amendment; and also favorably on

H. B. 411, a bill to prevent the reckless destruction of fish in the running water courses of the State; and unfavorably on

H. B. 383, a bill to prevent the hauling of seins in the waters of Roanoke river on certain days; and on

H. B. 272, a bill concerning fish.

Mr. Armstrong, from the committee on Propositions and Grievances, reports on

The petition of citizens of Columbus county in regard to giving magistrates jurisdiction in bastardy cases, recommending its reference to the committee on the Judiciary; on

The protest of the magistrates of Chatham county against the passage of an act to extend the jurisdiction of magistrates, recommending its reference to the committee on the Judiciary.

Mr. Leatherwood, from the committee on Railroads, Post-roads, &c., reports favorably, with amendment, on

H. B. 357, a bill to protect the State's interest in public works.

Mr. Richardson of Columbus, from the committee on Finance, reports on

H. B. 500, a bill to amend chapter 106, laws of 1876–'77, recommending its reference to the committee on Internal Improvements.

Mr. Turner, from the committee under resolution on investigation, to which committee a report previously made

had been recommitted, makes a report both from the majority and the minority, which are read, and the report and testimony are placed on the Calendar.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 183, a bill to be entitled an act to secure the better drainage of the bottom lands of Silver Creek, in Burke county;

H. B. 475, a bill to be entitled an act to change a portion of the county line between the counties of Hertford and Bertie;

H. B. 456, a bill to be entitled an act to allow the "Independent Order of Good Samaritans and Daughters of Samaria in America, Lodge No. 2, of N. C.," to establish a beneficial department; and

H. B. 329, a bill to be entitled an act to elect a road surveyor for the county of Watauga.

Mr. English, from the committee on Engrossed Bills, reports the following bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 515, a bill to be entitled an act to extend the time of paying the State taxes in the county of Dare.

The committee on Enrolled Bills reports the following bills and resolutions as correctly enrolled, viz:

A resolution of request to our Senators and Representatives in Congress;

An act to incorporate the town of Taylorsville, in the county of Alexander;

An act to incorporate Kinston Fire Company, No. 1, of Kinston, North Carolina;

An act to incorporate Burgaw Male and Female Academy;

A resolution requesting our Senators and Representatives in Congress to obtain an appropriation from the Congress of the United States to open Waccamaw River.

INTRODUCTION OF RESOLUTIONS.

By Mr. Brown of Mecklenburg, a resolution in regard to the printing of bills for the use of this General Assembly, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Fulcher, a bill to extend the time of paying the State taxes in the county of Dare, which is placed on the Calendar.

By Mr. Reynolds, a bill to establish a House of Refuge for friendless children in the several counties in the State, which is referred to the committee on Education.

By Mr. Paxton, a bill to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail, which is placed on the Calendar.

By Mr. Click, a bill for a stock law in Iredell county, which is referred to the committee on Agriculture, &c.

By Mr. Roberson, a bill to aid in the completion of the Raleigh and Seaboard Railroad, which is referred to the committee on Internal Improvements.

By Mr. Lindsay, a bill to create a municipal board of record for each county in the State; and

By Mr. Osborne, a bill concerning the annexation of Goose Creek Island township to Beaufort county; both of which are referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Gatling, a bill to authorize the commissioners of Chowan county to levy a special tax;

By Mr. Hines, b ill to authorize the commissioners of Sampson county to levy a special tax; and

By Mr. Richardson of Columbus, a bill to authorize the county of Bladen to fund the floating debt; all of which are referred to the committee on Finance.

By Mr. Huffstetler, a bill to incorporate the town of Lowell, in Gaston county, North Carolina;

By Mr. Reid of Macon, a bill to incorporate Smith Bridge High School Joint Stock Company;

By Mr. Colwell, a bill to amend the act incorporating the town of Kenansville, in Duplin county; all of which are referred to the committee on Corporations.

By Mr. Melson, a bill to amend chapter 8, section 137, code of Civil Procedure, in relation to Superior Court clerks;

By Mr. Ardrey, a bill to amend section 8, chapter 7, Battle's Revisal;

By Mr. Richardson of Wake, a bill to amend section 15 of chapter 90 of Battle's Revisal; and

By Mr. Richardson of Wake, a bill supplemental to an act passed at the session of 1876–'77, entitled an act to divide the State into several judicial districts. All of which are referred to the committee on the Judiciary.

By Mr. Turner, a bill to prevent the stuffing of ballot boxes;

By Mr. Bernard, a bill to amend chapter 222, laws of 1876–'77, entitled an act for drainage of wet lands;

By Mr. Carter of Warren, a bill for the better protection of children in this State;

By Mr. Holt, a bill to regulate the admission of patients into the State Insane Asylum; and

By Mr. Goldston, a bill to amend chapter 41, section 10, Battle's Revisal, in reference to Surveyor's bonds. All of which are referred to the committee on Propositions and Grievances.

On motion of Mr. Jones, the rules are suspended to put H. B. 367, a bill to change the name and to authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company and to complete the said road, a substitute for H. B. 139, on its third reading.

Mr. Blaisdell was allowed to set this motion aside for the

present to place H. B. 515, a bill to extend the time of paying State taxes in Dare county, on it several readings.

The bill passes its several readings and is ordered to be engrossed and sent to the Senate.

The consideration of H. B. 367 is taken up.

Mr. Vaughan in the Chair.

Mr. Jones offers the following amendments, which are accepted:

"Before the word Watauga, in line 14, section 3, insert the words: To Patterson in Caldwell county, thence through."

"In section 4, line 9, after the word Wilkes, insert the word Caldwell."

"At the end of section 3, add: *Provided*, that Patterson, in the county of Caldwell, shall be a point upon any line of road that may be determined upon up the Yadkin river."

Mr. Harrell offers the following amendment, which is accepted:

Amend by adding the following section before the ratifying clause:

"That if the Northwestern North Carolina Railroad should fail to accept the amendments to its charter, passed by this General Assembly at its present session, and should fail to survey and locate the road from Winston or Salem by way of Wilkesboro to Patterson, in Caldwell county, within 90 days from and after the ratification of this act, then and in that case, the convicts ordered to be assigned to said Northwestern North Carolina Railroad Company shall be transferred to the Cape Fear and Yadkin Valley Railroad Company, to be worked upon the same terms and conditions as the convicts furnished by this act: *Provided*, that the Cape Fear and Yadkin Valley Railroad Company shall within the next six months after expiration of the 90 days above

named, survey and locate said road west of Greensboro, or Salem, or Winston, by way of Wilkesboro to Patterson, N. C.: *And provided further*, that said convicts shall be worked west of Greensboro, or Salem, or Winston, as the Board of Directors may decide."

Mr. Coffield offers the following amendment, which is accepted:

"*Provided, further*, that upon the consolidation of the roads provided for in this act with the Ore Knob and Mount Airy Railroads the convicts assigned by law for the construction of said Ore Knob and Mount Airy Railroads shall be turned over to the said Cape Fear and Yadkin Valley Railroad Company to be worked west of Greensboro, upon the same conditions that convicts provided for by this act are worked on other portions of said roads."

Mr. Lindsay offered the following amendment:

"*Provided*, that no bonds shall be sold other than first mortgage bonds, and at any other rate less than at 97 cents in the dollar, and at a higher rate of interest than seven per centum: *Provided, further*, that if there is any lien on said road other than the $50,000 will satisfy, to an amount exceeding $20,000, then this act with all the clauses thereof, shall be null and void and of no effect."

Mr. Norment moves to postpone and make special order for next Thursday at 12 o'clock, M.

Mr. Jones moves to amend the motion by saying Tuesday at 11 o'clock, P. M.

On a division which resulted in a vote of ayes 46, noes 21, the amendment to the motion was adopted. The question recurred on Mr. Norment's motion to postpone as amended which is lost, on a division, of ayes 31, noes 40.

The question recurs on the amendment of Mr. Lindsay.

Mr. Goldston calls the previous question. The call is not sustained.

The question again recurs on Mr. Lindsay's amendment.

Mr. Lewis moves to postpone till Monday week at 12 o'clock, M., on which motion he calls the ayes and noes.

The Speaker rules that according to the rules of order a motion to postpone having been already lost, no other motion of the same kind could be entertained the same day.

On Mr. Goldston's call, the previous question on the passage of the bill on its third reading is ordered.

Mr. Mebane gave notice of an amendment; also Mr. Turner gave notice of two amendments.

The question recurs on Mr. Lindsay's amendment, which is lost on a division, ayes 33, nays 37.

Mr. Mebane sent forward his amendment, which is as follows:

"*Provided*, That said road go to or near the Cedar Falls Factory, in the county of Randolph."

The question occurs on the amendment of Mr. Mebane.

Mr. Barringer called for the ayes and nays, which is not sustained. On a division, Mr. Mebane's amendment is lost. Ayes 31, noes 48.

Mr. Richardson of Columbus, offered the following amendment:

"Strike out all of sections 8 and 9."

On the demand of Mr. Richardson of Columbus, the ayes and noes are called, and the amendment is rejected by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Barringer, Bateman, Bernard, Berry, Bird, Bonner, Buchan, Burroughs, Carter of Yancey, Carroll, Christmas, Click, Colwell, Cooke,

Deans, Dimsdale, Dunn, Forbes, Gatling Harrison, Hines, Leach, Lewis, Lindsay, Mebane, Melson, Osborne, Powers, Richardson of Columbus, Ritchey, Roberson, Smith, Turner, Wheeler, and Young—38.

Nays—Messrs. Anderson, Ardrey, Atkinson, Battle, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Cale, Carter of Buncombe, Carter of Warren, Cary, Clarke, Coffield, Council, Davis of Haywood, Ellison, English, Ewing, Ferrell, Foster, Foy, Fulcher, Goldston, Harrell, Henderson, Holt, Huffstetler, Jones, Leatherwood, Lutterloh, McLean, Norment, Orchard, Paxton, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Taylor, Venable, Waddell, White, and Wimberly—46.

Mr. Clarke offers the following amendment:

"That said road shall be divided into two sections, styled the eastern and western sections; that the eastern section shall consist of the fifty miles of railroad already built; that the authorities of said road shall only be authorized to issue $75,000 of first mortgage bonds on the eastern section thereof, and that the Treasurer be authorized to buy $50,000 of this class."

Mr. Clarke calls for the ayes and noes. The call is not sustained, and, on a division, the amendment is lost.

Mr. Turner offers the following amendment:

"No person shall hold office in this or any other corporation of the State, who has, or may hereafter give aid, countenance, or encouragement to any conspiracy or combination to cheat or defraud the State, or any other corporation of the State, or to peculate upon the State or its corporations."

Mr. Turner calls the ayes and noes upon the adoption of his amendment. The call is not sustained, and, on divis-

ion, the vote stands ayes 31, noes 25; no quorum voting. The question is put again, and the amendment is lost, ayes 26, noes 35.

Mr. Turner offers a second amendment, "to strike out section 3 of the bill," and on the adoption of this amendment calls the ayes and noes. The call is not sustained, and the vote being taken on the amendment it is lost.

The question recurs on the passage of the bill on its third reading, and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong Atkinson, Battle, Berry, Blaisdell, Blocker, Bonner, Brown of Mecklenburg, Bruce, Bryson, Cale, Carter of Buncombe, Carter of Warren, Cary, Chadwick, Clarke, Coffield, Council, Covington, Davis of Haywood, Ellison, English, Ewing, Ferrell, Foster, Foy, Fulcher, Goldston, Harrell, Henderson, Holt, Huffstetler, Jones, Leatherwood, Lutterloh, McLean, Norment, Orchard, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Taylor, Turner, Venable, Waddell, White, and Wimberly—53.

Nays—Messrs. Amis, Barringer, Bateman, Bird, Buchan, Burroughs, Carter of Yancey, Carroll, Christmas, Click, Colwell, Cooke, Deans, Dimsdale, Dunn, Forbes, Gatling Harrison, Hines, Leach, Lewis, Lindsay, Mebane, Melson, McLean, Osborne, Paxton, Powers, Richardson of Columbus, Roberson, Smith, Wheeler, Woodhouse, Wynne, and Young—34.

Mr. Jones moves to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table.

On this motion, Mr. Turner calls for the ayes and noes. The call is not sustained, and the motion to table prevails.

A MESSAGE FROM THE SENATE

is received, transmitting

S. R. 445, a resolution proposing to print 200 copies of S. B. 430, a bill in relation to public roads and highways, asking the concurrence of this House.

On motion of Mr. Colwell, concurrence is had.

Mr. Turner asks leave to change his vote to the negative on the passage of H. B. 367, and leave is granted.

Mr. Turner gives notice of his protest against the passage of H. B. 367.

On motion of Mr. Brown of Mecklenburg, H. R. 141, a resolution in regard to the printing of bills for the use of this General Assembly, is taken up and adopted, and is ordered to be engrossed and sent to the Senate for concurrence.

Leave of absence is granted to Mr. Hines for Monday; to Mr. Hewett for one week, on account of sickness; to Mr. York for this day, on account of business of this House in connection with the duties of the committee on the Insane.

Mr. Reynolds moves to suspend the rules to take up H. R. 119, a resolution in regard to the bad treatment of convicts engaged upon the public works of the State.

Pending this motion, on motion of Mr. Clake, the House adjourns until Monday morning at 10 o'clock.

TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, Feb. 10th, 1879.

The House meets this morning at 10 o'clock and is called to order by Mr. Speaker Moring, and opens with prayer by the Rev. Dr. Marshal of the city.

The reading of the Journal of Saturday is dispensed with, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Bird, a petition from the ladies of Hendersonville, asking the General Assembly not to repeal the prohibitory law in Hendersonville;

By Mr. Covington, a petition from 171 citizens of Freeman's township, in Franklin county, asking for a prohibitory law to exclude the sale of liquors within three miles of Goingsville M. E. Church;

By Mr. Orchard, a petition from sundry citizens of No. 1 township, asking for the prohibition of spirituous liquors within three miles of Pioneer Mills;

By Mr. Ewing, a petition from the citizens of Montgomery county to prohibit the sale of liquors within three miles of Mount Carmel Church;

By Mr. Venable, a petition for the repeal of the prohibitory law in Danbury, Stokes county; and

By Mr. Lewis, a petition from citizens of Nash county, praying against the prohibition of the sale of liquor in Nashville.

The following are referred to the committee on the Election of Justices of the Peace:

By Mr. Leatherwood, a petition from citizens of Jackson county, asking that J. R. Brinkley be appointed justice of the peace for Webster township; and

By the same, a petition of citizens of Jackson county, asking that B. H. Jones be appointed justice of the peace for Savannah township; and

By Mr. Leach, a petition from citizens of Moore in reference to the appointment of justices.

The following are referred to the committee on Agriculture:

By Mr. Barringer, a petition of certain citizens of Morgan township, Rowan county, praying that the stock law do not embrace that county, &c.; and

By Mr. Harrison, a petition from sundry citizens of Caswell county, praying the General Assembly not to pass "the no fence law."

The following is referred to the committee on Finance:

By Mr. Covington, a petifion of citizens of Union county, asking that section 12, schedule B, chapter 156, laws of 1876–'77, be repealed.

The following is referred to the committee on Internal Improvements:

By Mr. Covington, a petition from citizens of Union, praying against the passage of the bill to amend the charter of the R. & A. A. L. R. R.

The following is referred to the committee on Corporations:

By Mr. Reid of Macon, a petition from citizens of Mitchell county, asking the incorporation of Yellow Mountain church.

The following is referred to the committee on Public Roads:

By Mr. York, a petition to repeal chapter 189, laws of 1876–'77, to lay out a road from Phineas Horton's store, in Wilkes county, to Deep Gap, in Watauga county.

And the following are placed on the Calendar:

By Mr. Woodhouse, a petition from citizens of Currituck county, asking a change in the game laws in regard to non-residents; and

By the same, asking that no change be made in the game law.

REPORTS OF COMMITTEES.

Mr. Vaughan, from the committee on the Judiciary, reports on

H. B. 185, a bill to amend chapter 32, Battle's Revisal, entitled "Crimes and Punishments," recommending the adoption of an accompanying substitute.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolution to have been cor-

rectly engrossed, and they are transmitted to the Senate for concurrence ;

H. R. 141, resolution in regard to the printing of bills for the use of the members of this General Assembly ;

H. B. 367, a bill to be entitled "An act to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same;"

Engrossed amendments to

S. B. 139, H. B. 394, a bill to be entitled "An act to protect holders of policies in fire insurance companies in this State."

Mr. English, from the committee on Engrossed Bills, reported the following House Bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 258, a bill to be entitled "An act to change the times of holding the Superior Courts in the fifth judicial district."

INTRODUCTION OF RESOLUTIONS.

By Mr. Ardrey, a resolution to develop the agricultural and other material interests of North Carolina;

By Mr. Orchard, a resolution in regard to night sessions ; both of which are placed on the Calendar.

By Mr. Reid of McDowell, a resolution directing the Secretary of State to issue a grant, which is referred to the committee on the Judiciary.

INTRODUCTION OF BILLS.

By Mr. Carroll, a bill to incorporate Stewart's Creek Canal Company, Sampson and Duplin counties ;

By Mr. Cale, a bill to authorize the mayor and commissioners of Elizabeth City to pave and light the principal streets; both of which are referred to the committee on Corporations.

By Mr. York, a bill to repeal chapter 189, laws of 1876–'77, to lay off and construct a public road from Phineas Horton's store, Wilkes county, to Deep Gap, Watauga county, which is referred to the committee on Public Roads.

By Mr. Lutterloh, a bill to repeal chapter 161, laws of 1876–'77, so far as relates to Cumberland county; which is referred to the committee on Propositions and Grievances.

By Mr. Armstrong, a bill to amend chapter 152, laws of 1871–'72;

By Mr. Covington, a bill to amend chapter 83, private laws of 1874–'75; both of which are referred to the committee on the Judiciary;

By Mr. Atkinson, a bill in relation to establishing a new township in Buncombe county, to be known as Black Mountain township, which is referred to the committee on Counties, Cities, Towns and Townships;

By Mr. Christmas, a bill to repeal a part of section 12, chapter 275, laws of 1876–'77, which is referred to the committee on Privileges and Elections.

Mr. Amis is announced as detained from his seat in the House to-day by sickness.

Leave of absence is granted to Mr. English for to-day.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 307, a bill to make Upper and Lower Little River, in Harnett county, a lawful fence, and for other purposes;

S. B. 296, a bill to provide for the better proof of deeds executed beyond the State;

S. B. 138, a bill to amend section 2, chapter 18, laws of 1876–'77, concerning the Cheraw and Salisbury railroad;

S. R. 329, a resolution to raise a joint committee on railroads and transportation companies; and Senate amendments to

H. B. 26, a bill to amend chapter 161, laws of 1876–'77, entitled an act in relation to probate of deeds, &c.

They were read the first time in this House and

S. R. 329, is placed on the Calendar;

S. B. 307, is referred to the committee on Agriculture;

S. B. 296, to the Judiciary, and

S. B. 138 to the committee on Internal Improvements.

The Senate amendments to H. B. 26 are placed on the Calendar.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 331, a bill to establish a public road in the county of Stokes; and

S. B. 157, a bill to amend section 8, chapter 225, laws of 1876–'77.

They are read the first time in this House; and

S. B. 157 is referred to the committee on the Judiciary, and

S. B. 331 is placed on the Calendar.

On motion of Mr. Venable,

S. B. 331 is put on its passage.

Mr. Vaughan submits the following amendment, which is adopted: In section 2 strike out the words "sheriff, and it shall be his duty," and insert, "board of commissioners of Stokes county, and it shall be the duty of the sheriff."

And the bill, as amended, passed its several readings, and is ordered to be sent to the Senate with engrossed amendments.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 30, a bill to amend section 93, chapter 32, of Battle's Revisal;

S. B. 170, a bill to regulate the degrees of kinship in which persons in this State may not marry;

S. R. 109, a resolution to provide for heating the capitol;

S. R. 415, resolution to print the Governor's message; and

Senate amendments to

H. B. 34, a bill to amend section 1, chapter 14, laws of 1874–'75.

They are read the first time in this House, and

S. B. 415 is placed on the Calendar;

S. B. 170, and S. B. 354, and S. B. 30 to the committee on the Judiciary.

Senate amendments to

H. B. 34 and to H. B. 26 are concurred in, and they are ordered to be enrolled for ratification; and a message is sent to the Senate, informing that body of the action of the House.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 311, a bill to change the time for holding the Superior Courts in the counties of Beaufort, Hyde, Pamlico, Dare and Tyrrell;

S. B. 330, a bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition;

S. B. 222, a bill to submit the question of prohibition and license to the vote of the people of Rutherfordton;

S. R. 293, resolution in relation to the funeral expenses of the late Chtef Justice Pearson; and

Senate substitute for

H. R. 79, a resolution for a conference with the authorities of South Carolina and Tennessee for the purpose of securing the removal of obstacles to the free passage of fish up the Yadkin and other streams.

They are read the first time in this House and

S. B. 311 and S. B. 306 are referred to the Judiciary Committee;

S. B. 330 and S. B. 222 to the committee on Propositions and Grievances;

S. B. 293 to the committee on Finance; and

Senate substitute for H. R. 19 to the committee on Fish Interests.

On motion of Mr. Reynolds,

H. R. 119, a resolution in regard to the treatment of the convicts engaged on the public works of North Carolina, is taken up and adopted, and is ordered to be engrossed for the signature of the Speaker of this House.

The Calender is taken up, and

S. B. 139, a bill to protect policy holders in fire insurance companies in this State, is put on its second reading, and the amendment proposed by the committee is adopted. An amendment offered by Mr. Atkinson is adopted, and the bill as amended, passes its several readings and is transmitted to the Senate with engrossed amendments.

Mr. Vaughan moves to reconsider the vote by which S. B. 331, a bill to establish a public road in the county of Stokes, passed its several readings; and reconsideration is had. Mr. Vaughan moved to reconsider the vote by which the amendment was adopted; which motion also prevails.

Mr. Vaughan's amendment as a substitute is then adopted, and the bill is again put on its readings and passes, and is sent to the Senate with engrossed amendments.

Mr. Davis of Haywood, moves to suspend the rules to put

H. B. 492, a bill to empower the commissioners of Haywood to build a court house. The motion prevails, and the bill passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Blaisdell, Blalock, Blocker, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Click, Coffield,

Council, Covington, Davis of Haywood, Dimsdale, Etheridge, Ewing, Forbes, Foster, Fulcher, Gatling, Goldston, Harrison, Henderson, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lindsay, Lutterloh, Mebane, Melson, McCorkle, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Taylor, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young—67.

H. B. 46, a bill to authorize the commissioners of Caldwell county to levy a special tax, is put on third reading, and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Bateman, Battle, Bernard, Berry, Bird, Blalock, Blocker, Bonner, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Click, Coffield, Council, Covington, Davis of Haywood, Dimsdale, Etheridge, Ewing, Forbes, Foster, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lindsay, Lutterloh, Mebane, McCorkle, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Roberson, Taylor, Wheeler, White, Wimberly, Woodhouse, and York—63.

H. B. 258, a bill to alter the times of holding the terms of the Superior Courts in the fifth judicial district, is put on its readings, the amendments of the committee are adopted, and the bills passes and is ordered to be engrossed.

Mr. Moring moves to reconsider the vote by which the bill passed, and to lay that motion on the table, which prevails.

H. B. 310, a bill for the better protection of wild fowl in Carteret county is put on its readings. Mr. Fulcher offers the following amendment: "Include the waters of Pamlico Sound and its tributaries." The amendment is adopted,

and the bill passes its second readings, and is ordered to be engrossed.

H. B. 4, a bill to amend an act to lay off the homestead and personal property exemption, ratified April 7th, 1869, on motion, is laid on the table.

H. B. 369, a bill to incorporate the town of Burgaw, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Click, Council, Covington, Davis of Haywood, Dimsdale, Forbes, Foster, Fulcher, Gatling, Goldston, Harrison, Henderson, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lutterloh, Mebane, Melson, McCorkle, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Taylor, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young—66.

Nays—None.

H. B. 14, a bill to amend section 4 and 7, chapter 37, Battle's Bevisal, is taken up. The substitute offered by the committee is adopted, and the bill so substituted passes, and is ordered to be engrossed.

H. B. 33, a bill to reduce the salaries of State officers, on motion of Mr. Ardrey, is laid on the table.

H. B. 37, a bill to repeal chapter 271, laws of 1876–'77, is put on its readings.

Mr. Covington moves to postpone until Tuesday next at 12 M.

Mr. Anderson moves the bill be recommitted, and on a division, the House refuses to recommit by a vote of 35 ayes, 44 nays. The question is then put on the motion of Mr. Covington to postpone, which, on a division, is lost by a vote of 28 ayes, 45 nays, and then the question recurs on the passage of the bill on its second reading.

Mr. Richardson of Wake, offers the following amendment:

"All causes pending in this court shall be transferred to the superior court."

The amendment is adopted, and as amended, the bill passes its second reading.

H. B. 421, a bill to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, &c., is put on its second reading, and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Cary, Christmas, Click, Coffield, Council, Covington, Davis of Haywood, Dimsdale, Dunn, English, Ewing, Ferrell, Forbes, Foster, Fulcher, Goldston, Harrell, Harrison, Henderson, Huffstetler, Johnson, Lamb, Leatherwood, Lindsay, Lockhart, Lutterloh, Mebane, Melson, McCorkle, McLean, Norment, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Vaughan, Wheeler, White, Wimberly, York, and Young—67.

Nays—None.

H. B. 464, a bill to incorporate the town of Matthews, in the county of Mecklenburg, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Click, Coffield, Council, Davis of Haywood, Deans, Dunn, English, Ewing, Ferrell, Forbes, Foster, Fulcher, Gatling, Goldston, Harrell, Harrison, Henderson, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Meares, Mebane, Melson, McCorkle, McLean, Norment, Orchard, Os-

borne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, York, and Young—75.

Nays—None.

H. B. 484, a bill to prohibit the sale of liquors within the limits of Halifax county, is put on its second reading.

Mr. Reynolds offers the following amendment:

Add to section 1:

"*Provided*, That the subject of prohibition be submitted to the qualified voters of Halifax county. The election shall be held at such times and places as the board of county commissioners may direct, after due notice given, under the same rules and regulations as in the election of members of the General Assembly."

On the passage of the bill, Mr. Cooke called the previous question, and the main question is ordered.

Mr. Reynolds and Mr. Norment gave notice of amendments.

The question is put on the amendment of Mr. Reynolds, and it is rejected.

Mr. Norment's amendment reads as follows:

Strike out "Halifax" wherever it occurs, and insert "North Carolina."

And, on a division, it is adopted, ayes 35, nays 33, and the question recurs on the passage of the bill on its second reading, which, on a division, fails to pass, ayes 33, nays 39.

Mr. Holt moves to reconsider the vote by which the bill failed to pass.

And reconsideration was had.

Mr. Cooke moves to reconsider the vote by which the amendment of Mr. Norment was adopted.

And the motion prevails.

Mr. Blaisdell moves to adjourn; and the House refuses to adjourn; and the motion to reconsider the amendment of Mr. Norment is put and carried by a vote of 55 ayes, 22 nays.

Mr. Norment moves to reconsider the vote by which the amendment of Mr. Reynolds failed of adoption, and upon that motion demands the ayes and nays.

The call is sustained, and reconsideration had by the following vote:

Ayes—Messrs. Angier, Barringer, Battle, Bernard, Blaisdell, Blalock, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Warren, Carey, Christmas, Coffield, Council, Deans, Dimsdale, Dunn, Ewing, Ferrell, Forbes, Fulcher, Henderson, Jones, Leach, Lewis, Lindsay, Lutterloh, Mebane, Norment, Osborne, Reynolds, Richardson of Wake, Smith, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Wynne, and York—44.

Nays—Messrs. Anderson, Ardrey, Armstrong, Bateman, Berry, Bird, Bonner, Bost, Burroughs, Carroll, Click, Cooke, Covington, Davis of Haywood, English, Etheridge, Foster, Gatling, Goldston, Harrell, Holt, Huffstetler, Johnson, Lamb, Leathwood, Lockhart, Melson, McCorkle, McLean, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Ritchey, Taylor, Woodhouse, and Young—39.

Mr. Bost moves to adjourn, and the House refuses to adjourn.

The question recurs on the amendment of Mr. Reynolds.

By consent, Mr. Norment withdraws his amendment, and the ayes and nays are had on the amendment of Mr. Reynolds, and it it is adopted by the following vote:

Ayes—Messrs. Barringer, Battle, Bernard, Blaisdell, Blalock, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Warren, Cary, Christmas, Coffield, Council, Deans, Dimsdale, Dunn, Ellison, Ewing, Ferrell, Forbes, Henderson, Jones, Leach, Lewis, Lindsay, Lutterloh, Mebane, McLean, Norment, Osborne, Powers, Reid of

McDowell, Reynolds, Richardson of Wake, Ritchey, Vaughan, Venable, Waddell, White, Wimberly, Wynne, and York—45.

Nays—Messrs. Anderson, Angier, Ardey, Armstrong, Bateman, Berry, Bird, Bonner, Bost, Burroughs, Carroll, Click, Cooke, Covington, Etheridge, Foster, Gatling, Goldston, Harrell, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lockhart, Melson, Orchard, Paxton, Rawley, Reid of Macon, Smith, Taylor, Woodhouse, and Young—34.

Mr. Jones moves to indefinitely postpone the bill, and called the previous question. The call is sustained, and the main question is ordered, and the question then recurs on the motion to indefinitely postpone, which prevails.

On motion of Mr. Covington, the use of this Hall is granted to Mr. Dumont for this evening for a lecture on immigration; and on motiau of Mr. Reid of McDowell, the House adjourns till to-morrow morning at 10 o'clock.

THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Feb. 11th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Black of the city.

The reading of the Journal of yesterday is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Vaughan, a petition of citizens of Alleghany county, praying the passage of a law to prevent the driving of diseased cattle into Alleghany;

By Mr. Amis, a petition of citizens of Person county in regard to the prohibition of the sale of liquor near Allensville, in that county;

By Mr. Click, a petition of 129 ladies of Statesville, in Iredell county, against the repeal of the prohibition law in that place;

By Mr. Colwell, a petition of citizens of Duplin county, asking for a law to prevent the draining of streams in certain cases; and

By Mr. Richardson of Wake, asking the Legislature to prohibit the sale of spirituous liquors within three miles of Hayes' Chapel, in the county of Wake.

The following are referred to the committee on Corporations:

By Mr. Harrell, three petitions from citizens of Wilkes county, asking for a law to prohibit the sale of spirituous liquors at Trap Hill Academy; and

By Mr. York, a counter petition on the same subject from citizens of Wilkes county.

The following are referred to the committee on Agriculture:

By Mr. Ardrey, a petition from the State Grange in relation to the Agricultural Department;

By Mr. Harrison, a petition of sundry citizens of Caswell county against the passage of any law preventing cattle from running at large in said county;

By Mr. McCorkle, a petition from citizens of South Iredell, asking for the peremptory passage of a stock law, in conformity with the Mecklenburg stock law act;

By Mr. Bost, a petition of sundry citizens of Rowan county, asking the passage of a stock law for said county; and

By Mr. Moring, a petition from citizens of Chatham county, asking the enactment of a stock law.

The following are referred to the committee on the election of Justices of the Peace:

By Mr. Burroughs, a petition of sundry citizens of Granville county, asking the appointment of J. H. Parham as one of the justices for Henderson township;

By Mr. English, a petition of sundry citizens of Liberty township, Randolph county, asking for the appointment of W. P. Fox as a justice of the peace;

By the same, a petition of the citizens of Randolph county, asking that R. M. Moffitt be appointed a justice of the peace.

By Mr. Ritchey, a petition of certain citizens of Ridenhour township, Stanly county, asking the appointment of R. C. Miller as magistrate;

By the same, a petition of certain citizens of Ridenhour township, in Stanly county, asking the appointment of Caleb Morse as magistrate.

By Mr. Armstrong, a petition of citizens of Grant township, asking the appointment of George W. Pollock as justice of the peace;

By Mr. Richardson of Wake, a petition of citizens of Wake county, asking the appointment of John M. Brewer as a justice of the peace; and

By Mr. Moring, a petition of citizens of Halifax county, asking the appointment of a justice of the peace.

The following is referred to the committee on Finance:

By Mr. Blalock, a petition of citizens of Mitchell county, asking the levy of a special tax.

The following to the committee on the Judiciary:

By Mr. York, a petition from citizens of Wilkes county, signed by L. C. Brooks and others.

And the following is placed on the Calendar:

By Mr. Ellison, a memorial from the aldermen of Raleigh in relation to the State property sold for the purpose of rais-

ing a fund to be applied to the erection of a mansion for the Governor of the State.

REPORTS OF COMMITTEES.

Mr. Caldwell, from the committee on Public Roads, reports favorably on the

Petition from citizens from township No. 8, Madison county, asking an appropriation to open a public road to their county seat; and unfavorably on

H. B. 335, a bill to amend an act of 1854–'55, and previous acts to which it refers, entitled "Acts to incorporate the Jonathan's Creek and Tennessee Mountain Turnpike Company, Haywood county.

Mr. Ardrey, from the committee on Agriculture, &c., reports unfavorably on

H. B. 476, a bill to amend chapter 48, Battle's Revisal; and favorably, provided it shall not apply when tar is sold in less quantities than the barrel, on

H. B. 59, a bill to prescribe the mode of selling tar.

Mr. Amis, from the committee on Salaries and Fees, reports on

H. R. 89, a resolution of instruction to committees to adopt as a standard of salaries, fees and expenditures of the State officers the salaries, fees and expenditures of 1860, reports that they gave the matter due weight in the preparation of a general bill; on

H. B. 101, a bill to amend chapter 105, Battle's Revisal, entitled "Salaries and Fees," recommending that no action be taken thereon, as the matter has been covered by a general bill.

Mr. York, from the committee on Fish Interests, reports favorably on

H. B. 205, a bill to amend the act to protect fish in the Yadkin and Catawba rivers; on

S. B. 17, H. B. 278, a bill to amend chapter 105, private

laws of 1876–'77, recommending its passage with the adoption of accompanying amendments.

Mr. Leatherwood, from the committee on Railroads, Postroads, &c., reports favorably on

H. B. 424, a bill to amend chapter 163, laws of 1871–'72.

Mr. Vaughan, from the committee on Railroads, Postroads, &c., reports favorably, with amendment, on

H. B. 211, a bill to incorporate the State University Railroad.

Mr. Covington, from the committee on the Judiciary, reports favorably on

H. B. 543, a bill to amend chapter 83, private laws 1874 and 1875.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 170, H. B. 552, a bill to regulate the degrees of kinship within which persons in this State may not lawfully marry; on

S. B. 296, H. B. 548, a bill to provide for the better proof of deeds executed beyond the State; and on

H. B. 327, a bill concerning the official bonds to be given by sheriffs; and favorably, with amendment, on

S. B. 30, H. B. 553, a bill in relation to warrants on bastarday; on

S. B. 306, H. B. 556, a bill to modify indictments in certain cases, the committee report that they are equally divided in their opinion as to its merits.

The committee on Engrossed Bills reported the following bills and resolutions as correctly enrolled:

H. B. 257, S. B. 301, an act to incorporate the town of Davidson College, in the county of Mecklenburg;

H. B. 320, S. B. 319, an act to incorporate the Charlotte Home and Hospital.

H. B. 119, S. B. 346, an act to amend the charter of Mount Airy Railroad, and provide for the building of a Railroad from Greensboro to Ore Knob.

H. B. 515, S. B. 452, an act to extend the time of paying the State taxes in the county of Dare.

H. B. 188, S. B. 281, an act to incorporate Germania Lodge, No. 4, Knights of Pythias, Wilmington, N. C.

H. B. 45, S. B. 346, an act to revise and amend the charter of the Louisburg Branch of the Wilmington and Weldon Railroad.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and amendments to have been correctly engrossed and they are transmitted to the Senate for concurrence:

Engrossed amendments to S. B. 331, H. B. 557, a bill to be entitled an act to establish a public road in the county of Stokes.

H. B. 310, a bill to be entitled an act for the protection of wild fowl in the county of Carteret.

H. B. 558, a bill to be entitled an act to amend sections 4 and 7 of chapter 37, of Battle's Revisal, it being the law on the subject of divorce.

H. B. 46, a bill to be entitled an act to allow the commissioners of Caldwell county to levy a special tax.

INTRODUCTION OF RESOLUTIONS

The following resolutions are introduced and placed upon the Calendar:

By Mr. Norment, a resolution to expunge the record of the House in 1874–'75, relating to J. Williams Thorne;

By Mr. Turner, a resolution concerning the title of the Western Railroad Company, in Buncombe county;

By Mr. Turner, a resolution looking to the indictment of Judge Watts for bribery;

By Mr. Turner, a resolution looking to the punishment of ring men, their aiders and abettors; and

By Mr. Norment, a resolution of inquiry.

By Mr. Ardrey, a resolution from the State Grange of Patrons of Husbandry concerning the Agricultural Depart-

ment, which is referred to the committee on Agriculture, &c.

By Mr. Turner, a resolution concerning a member's conduct, which is referred to the Special Committee, of which Mr. Blocker of Cumberland is chairman.

INTRODUCTION OF BILLS.

By Mr. Colwell, a bill to amend section 8, chapter 274, laws of 1876–'77, which is referred to the committee on Agriculture, &c.

By Mr. Davis of Haywood, a bill to legalize Iron Duff township in the county of Haywood, which is referred to the committee on Counties, Cities, &c.

By Mr. Norment, a bill to exempt section masters and others on railroads from working on public roads;

By Mr. Orchard, a bill to prevent the sale of spirituous liquors within three miles of Pioneer Mills P. O., township No. 1, Cabarrus county; and

By Mr. Amis, a bill to secure a better condition of the public roads;

All of which are referred to the committee on Propositions and Grievances.

By Mr. Blalock, a bill to authorize the commissioners of Mitchell county to levy a special tax, which is referred to the committee on Finance.

By Mr. English, a bill to regulate text-books in the free common schools, which is referred to the committee on Education.

By Mr. Blalock, a bill to incorporate Yellow Mountain church, Mitchell county;

By Mr. Lockhart, a bill to amend section 7, chapter 75, laws of 1825, being an act for the better government of the town of Wadesboro, both of which are referred to the committee on Corporations.

By Mr. Amis, a bill to amend chapter 119, Battle's Revisal, entitled "Wills and Testaments;"

By Mr. Angier, a bill for the payment of commissioners and jurors for laying off dower and year's allowance of widows, both of which are referred to the committee on the Judiciary.

MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 156, a bill for the relief of the sureties of the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873;

S. B. 366, a bill to amend section 3, chapter 61, laws of 1871–'72;

S. B. 437, a bill to correct the erroneous numbering of a certain bond;

S. B. 349, a bill to punish magistrates, sheriffs, attorneys and other agents for abusing their trusts;

S. B. 308, a bill to enable the county commissioners of Pasquotank to ascertain the county indebtedness;

S. B. 297, a bill to prohibit the carrying of concealed weapons;

S. B. 194, a bill to provide for a registration of certain deeds, and other instruments of writing;

S. R. 335, a resolution to provide for the employment of laborers in the two house; and

S. R. 334, a resolution proposing to raise a joint select committee of eight to investigate the bank of North Carolina.

They are read the first time in the House, and referred as follows: Senate bills 156, 308 and 437, to the committee on Finance; Senate bills 194, 297, 366 and 349, to the committee on the Judiciary; S. R. 334 to the committee on Banks and Currency, and S. R. 335 takes its place on the Calendar.

A message is received from the Senate, transmitting

S. B. 393, a bill to amend section 7, chapter 255, laws of

1876–'77, in regard to holding the courts of the seventh judicial district.

It is read the first time in this House, and referred to the committee on the Judiciary.

On motion of Mr. Fulcher,

H. B. 383, a bill to prevent the hauling of seines in the waters of Roanoke river on certain days, is taken from the Calendar, and recommitted to the committee on Fish Interests.

On motion of Mr. Amis,

H. B. 502, a bill concerning salaries and fees, is made the special order for Thursday, the 13th inst., at 12 M.

On motion of Mr. Ellison,

H. B. 234, a bill to give to certain colored persons the right of inheritance, is taken up on its readings, and the question is on the substitute of the committee. The substitute is adopted, and the bill, as substituted passes as H. B. 578, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Covington,

H. B. 543, a bill to amend chapter 83, private laws of 1874–'75, is taken up and put on its several readings, passes and is ordered to be sent to the Senate without engrossment.

On motion of Mr. Blaisdell,

H. B. 256, a bill to extend the corporate limits of the town of Elizabeth City, is put on its readings and passes and is ordered to be engrossed and sent to the Senate.

On motion of Mr. Harrison,

S. B. 70, a bill to amend an act to allow Milton township, in the county of Caswell, to subscribe $15,000 in payment of stock in the Milton and Sutherlin Narrow Guage Railroad, and for other purposes, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Barringer, Battle, Bernard, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Car-

ter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dunn, Ellison, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrison, Henderson, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Melson, McCorkle, McLean, Norment Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—79.

On motion of Mr. Vaughan,

S. B. 400, a bill to amend the act to reduce and regulate the act of public printing, ratified 18th January, 1879, is put upon its readings, and passes and is ordered to be enrolled for ratification.

On motion of Mr. Lindsay,

H. B. 357, a bill to protect the State's interests in public works, is taken up, and the question is put on the amendments of the committee, which are adopted.

Mr. Turner offers the following amendment:

"No person shall hold office in any railroad or other corporation who shall or may hereafter give aid or encouragement to persons engaged in conspiracies to peculate upon or obtain money unlawfully from any corporation."

The question is put on the amendment and it is rejected, and the bill then passes its several readings and is orderd to be engrossed.

H. B. 37, a bill to repeal chapter 271, laws of 1876–'77, is put on its third reading.

Mr. Richardson of Wake, offers the following as a substitute for the amendment offered by him yesterday and adopted by the House:

Amend by adding "that criminal jurisdiction be restored to Wake Superior Court as fully and to the same extent as existed before the establishment of the criminal court of Wake county by chapter 271, page 492, laws of 1876–'77; and that all cases now pending in said criminal court of Wake county, be, and they are hereby transferred to the superior court of Wake county, and that all recognizances, subpœnas and capiases, issued and now in the hands of the sheriff or any other officer, and all papers, recognizances, subpœnas or obligation hereafter taken by any officer of the law, shall be made returnable to Wake superior court."

The amendment is adopted, and the question is on the passage of the bill on its third reading. Discussion is suspended to admit the announcement of

THE SPECIAL ORDER,

being H. B. 233, a bill for the relief of the blind;

But on motion of Mr. Norment, the consideration of the special order is postponed until the matter before the House is disposed of.

Discussion of H. B. 37 is resumed.

Mr. Richardson of Wake, calls the previous question. The call is sustained, and the main question ordered.

The question is then upon the passage of the bill on its third reading. The ayes and noes are called. The call is sustained, and the bill passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Angier, Atkinson, Barringer, Bateman, Battle, Berry, Bird, Blaisdell, Blalock, Blocker, Bruce, Burroughs, Cale, Carter of Warren, Cary, Christmas, Coffield, Davis of Catawba, Deans, Dimsdale, Dunn, Ellison, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Harrison, Henderson, Leach, Lewis, Lindsay, Lutterloh, Mebane, McCorkle, Mc-

Lean, Newell, Norment, Osborne, Reynolds, Richardson of Wake, Ritchey, Scott, Turner, Venable, Waddell, Wheeler, White, Wimberly, and Wynne—52.

Nays—Messrs. Anderson, Ardrey, Armstrong, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Buchan, Carter of Yancey, Carroll, Chadwick, Click, Colwell, Cooke, Covington, Davis of Haywood, English, Etheridge, Foard, Gatling, Goldston, Grant, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lockhart, Meares, Melson, Orchard, Paxton, Powers, Rawley Reid of Macon, Reid of McDowell, Richardson of Columbus, Smith, Vaughan, Woodhouse, York, and Young—44.

Leave of absence is granted to Mr. Clarke until to-morrow, and to Mr. Cale from to-morrow until Friday.

The special order was announced again.

On motion of Mr. McLean, it was postponed for five minutes, until

H. R. 125, a resolution in regard to the Calendar, is taken up and disposed of. The motion is carried and the resolution taken up.

Mr. Richardson of Columbus, moves to amend by referring the matter to the committee on Private Bills in reference to the arrangement of the Calendar.

On motion of Mr. Rawley, the whole matter is laid on the table.

THE SPECIAL ORDER,

H. B. 233, a bill for the relief of the blind, is then taken up.

The question recurs on the adoption of the amendment of the committee, which is adopted.

Mr. Smith moves to amend by saying, "that all that have lost speech, or use of their limbs by wounds received in the late war, shall be included."

Mr. Wimberly moves to amend by striking out "Confederate army," and insert "late war."

Mr. Reid of McDowell, moves to amend by adding after "Confederate service" the words "by accident."

On the call of Mr. Turner, the previous question is ordered.

The question recurs on Mr. Smith's amendment, and it is lost.

The question recurs on Mr. Wimberly's amendment, and it is rejected.

The question being then put on the amendment of Mr. Reid of McDowell, it is rejected.

The question then recurs on the passage of the bill on its second reading, and it passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, English, Ewing, Foard, Forbes, Foster, Goldston, Grant, Harrison, Henderson, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Mears, Mebane, Melson, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young —88.

Nays—Mr. Christmas—1.

Mr. Turner moves that the vote by which H. B. 37, a bill to repeal chapter 271, laws of 1876–'77, passed its third reading, be reconsidered and to lay that motion on the table. The motion is carried.

On motion, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Feb. 12th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Watkins of the city.

The reading of the Journal of yesterday is dispensed with, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Powers, a series of petitions from citizens of the counties of Cleaveland, Catawba, Lincoln and Burke, asking for a new county;

By Mr. Richardson of Columbus, a petition from sundry citizens of Columbus county, asking for the passage of a law preventing the sale of liquors within one mile of Lebanon Methodist Church in said county;

By Mr. Bost, a petition of citizens of Rowan county, asking the prohibition of liquors near Back Creek Church in said county;

By Mr. Oliver, a petition from citizens of Robeson county, asking the prohibition of the sale of liquors within three miles of Prospect Church in said county; and

By Mr. Bird, a petition from citizens of Hendersonville against the repeal of their prohibitory laws.

The following are referred to the committee on the election of Justices of the Peace:

By Mr. Ardrey, a petition of citizens of Morning Star township, in Mecklenburg county, asking the appointment of S. B. Smith as justice of the peace;

By Mr. Brown of Mecklenburg, a petition for the appointment of S. A. McNinch as a justice of the peace for Charlotte township;

By Mr. Richardson of Columbus, a petition of citizens of Brown Marsh township, in Columbus county, asking the appointment of J. M. Pearce as a justice of the peace;

By Mr. Carson, a petition from citizens of Alexander county, asking the appointment of C. M. Morse as a justice of the peace;

By Mr. English, a petition from citizens of Grant township, Randolph county, asking the appointment of J. Bray as a justice of the peace;

By Mr. Oliver, petition from citizens of St. Paul's, asking the appointment of Lauchlin Shaw as a justice of the peace; and

By Mr. Jones of Caldwell, two petitions asking certain appointments as justices of the peace.

The following is referred to the committee on the Fish Interest:

By Mr. Chadwick, a petition from citizens of Carteret county on the subject of traffic in fish.

The following to the committee on Corporations:

By Mr. Bernard, a petition from citizens of Pitt county, to change the corporate limits of Farmville in said county.

The following to the committee on the Judiciary:

By Mr. Melson, a petition of citizens of Tyrrell county, asking for the repeal of the acts of 1876–'77 in relation to the drainage of low lands.

And the following to the committee on Public Debt:

By Mr. Reid of McDowell, a petition from citizens of McDowell county asking that the public debt be adjusted.

REPORTS OF COMMITTEES.

Mr. Amis, from the committee on Salaries and Fees, reports favorably on

H. R. 109, a resolution in favor of the enrolling and engrossing clerks of this General Assembly.

Mr. Smith, from the committee on Agriculture, &c., reports favorably, with amendment, on

S. B. 307, H. B. 547, a bill to make the Upper and Lower Little rivers, in Harnett county, a lawful fence, and for other purposes; and unfavorably on

H. B. 338, a bill to regulate the expenditures and operations of the Agricultural Department.

Mr. Gatling, from the committee on Finance, reports favorably on

H. B. 522, a bill to authorize the commissioners of Chowan county to levy a special tax.

Mr. Brown of Mecklenburg, from the committee on Finance, reports favorably on

S. B. 437, H. B. 570, a bill to correct the erroneous numbering of a certain bond.

Mr. Bernard, from the committee on Counties, Cities, &c., reports favorably on

H. B. 399, a bill to establish an additional polling place in Oak Grove township, Wake county; on

H. B. 560, a bill to legalize Iron Duff township, Haywood county; on

H. B. 511, a bill to establish Gilliam county; on

H. B. 499, a bill to change the name of Pleasant Grove township, Randolph county; on

H. B. 393, a bill to authorize the commissioners of Brunswick county to submit to the people of that county the question of changing the county seat"; on

H. B. 544, a bill to establish Black Mountain township, Buncombe county; and unfavorably on

H. B. 520, a bill to create a municipal board of record for each county of the State.

Mr. Colwell, from the committee on Agriculture, &c., reports favorably on

H. B. 518, a bill for a stock law in Iredell county; and unfavorably on

H. B. 307, a bill to enlarge the duties of the Agricultural Department.

Mr. Bost, from the committee on Agriculture, &c., reports unfavorably on

H. B. 559, a bill to amend section 8, chapter 274, laws of 1876-'77; and on

H. B. 351, a bill to organize sub-agencies of the Agricultural Department.

By Mr. Ardrey, from the committee on Agriculture, &c., reports favorably on

H. B. 505, a bill to prevent overcharges in the sale of produce.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

S. B. 308, H. B. 572, a bill to enable the commissioners of Pasquotank county to ascertain the county's indebtedness; on

H. B. 524, a bill to authorize the county of Bladen to fund the floating debt; on

H. B. 523, a bill to authorize the commissioners of Sampson county to levy a special tax; on

H. B. 564, a bill to allow the county commissioners of Mitchell county to levy a special tax; and unfavorably on

S. B. 156, H. B. 575, a bill for the relief of sureties to the State and county bonds, given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873.

Mr. York, from the committee on Insane Asylum, reports on certain papers, recommending their reference to the Judiciary Committee, and the order is so made.

REPORTS FROM SELECT COMMITTEES.

Mr. Blocker, from the Select Committee in regard to the

case of B. R. Brown, the sitting member of Yadkin county, submits a report, and it is placed upon the Calendar.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 357, a bill to be entitled an act to protect the State's interest in public works;

H. B. 37, a bill to be entitled an act to repeal chapter 271, laws of 1876–'77;

H. B. 578, a bill to be entitled an act to give certain colored persons the right to inheritance;

H. B. 256, a bill to be entitled an act to extend the corporate limits of the town of Elizabeth City.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution instructing the Attorney-General to indict ring men, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. McCorkle, a bill to require the registration of births and deaths in the State, which is referred to the committee on Counties, Cities, &c.

By Mr. Chadwick, a bill regulating the size of fish packages, which is referred to the committee on Fish Interests.

By Mr. Reid of Macon, a bill to authorize the commissioners of Macon county to levy a special tax, which is referred to the committee on Finance.

By Mr. Scott, a bill concerning dogs, which is referred to the committee on Agriculture, &c.

By Mr. Hines, a bill to incorporate the Six Runs Land Drainage Company, which is referred to the committee on Corporations.

By Mr. Bonner, a bill to amend chapter 87, sections 34, 35, 36 and 37, Battle's Revisal, which is referred to the committee on the Judiciary.

By Mr. Fulcher, a bill to allow liquor to be sold at Nag's Head hotel, Dare county;

By Mr. Powers, a bill to establish the county of Lee out of parts of Cleaveland, Catawba, Burke and Lincoln; both of which are referred to the committee on Propositions and Grievances.

LEAVE OF ABSENCE

is granted to Mr. Osborne and to Mr. Bateman from and after to-day until Wednesday next.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 33, a bill to provide for holding terms of the superior courts in certain cases; and

Senate amendments to H. B. 543, a bill to amend chapter 83, private laws 1874–'75, in regard to Wake Forest College.

They are read the first time in this House, and S. B. 33 is referred to the committee on the Judiciary;

And on motion, the Senate amendments to H. B. 543 are concurred in, and the bill is ordered to be enrolled for ratification, and a message is sent to the Senate notifying that body of the action of the House.

On motion of Mr. Orchard,

H. R. 140, in relation to night sessions of the House, is taken up and adopted.

H. B. 421, a bill to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, is put on its third reading, and passes by the following vote, and it is ordered to be engrossed and sent to the Senate for concurrence:

Ayes--Messrs. Amis, Anderson, Angier, Ardrey, Armstrong,

Atkinson, Bateman, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dunn, Ellison, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Scott Taylor, Vaughan, Venable, Waddell, White, Wimberly, Woodhouse, York and Young—90.

Nays—None.

On motion of Mr. Paxton,

S. B. 159, a bill to abolish the tax fees of attorneys charged in bills of costs in civil suits, is taken up.

Mr. Vaughan submits an amendment by way of a substitute to the bill.

Pending consideration of the amendment,

THE SPECIAL ORDER,

being

H. B. 42, a bill to allow the Raleigh and Augusta Air-Line Railroad to extend its road from any point of its road to any point in or near the city of Charlotte, is announced.

Mr. Mebane moves to postpone the consideration of the special order for thirty minutes.

Mr. Norment moves to amend the motion by a motion to suspend until the business before the House is concluded, and the amendment is adopted.

Mr. Mebane then moves to make

S. B. 159 the special order for to-morrow at 11 o'clock A. M., and it is so ordered by the House.

Mr. Davis of Catawba, moves to postpone the special order for five minutes to take up

H. B. 363, a bill for the relief of the sureties of Jonas Cline, late sheriff of Catawba county.

The motion prevails, and the bill is put on its several readings, and passes and is ordered to be engrossed.

The consideration of

THE SPECIAL ORDER

is then resumed.

Mr. Henderson offers the following amendment: Insert the following proviso: "That in no case shall the change of charter permit said Air Line to take up or discontinue its road to Hamlet."

Mr. Foard offers the following amendment:

"That section one be amended by adding to it, after the word 'contracts,' in twelfth line: '*Provided*, the same facilities of transportation and rate per mile on each article of freight, according to its classification, shall be given to any station on the proposed extension, or on the present line, or to any town or seaport in North Carolina, as are given to any station, town or seaport in any other State; and that if said company shall violate any of the provisions of this section, in so far as the same applies to discrimination in rates against any citizens of North Carolina, or shall in any manner evade the said provisions, it shall be deemed guilty of a misdemeanor, and upon conviction thereof in the superior court of any county in which any part of the track of said company shall be situate, shall be fined one thousand dollars for each and every offense, and forfeit its charter.'"

The question is upon the amendment offered by Mr. Henderson.

Mr. Cobb offers the following as an amendment to the

amendment: "Amend the amendment by requiring the railroad to run trains daily, except on Sunday." The amendment is accepted, and as amended the amendment is adopted.

The question then recurs on the amendment of Mr. Foard, upon which Mr. Foard demands the ayes and nays.

Mr. Vaughan sends forward the following as an amendment to the amendment of Mr. Foard:

"*Provided*, that that portion of this act relative to discrimination of freights shall have no force until a law of a similar nature shall take effect as to all the other railroad lines in the State."

Pending discussion, the House yields to a motion of Mr. Carter of Buncombe, to adjourn until this evening at half-past seven o'clock.

EVENING SESSION.

WEDNESDAY, Feb. 12th, 1879.

The House meets at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

The unfinished business of this morning is announced, being

H. B. 42, a bill in relation to the Raleigh and Augusta Railroad.

The question is on the amendment sent forward by Mr. Vaughan, as an amendment to the amendment offered by Mr. Foard.

Mr. Richardson of Wake, rose to a question of personal

privilege in regard to a report of his remarks in connection on the debate yesterday on the bill to abolish the criminal court of Wake, as appears in the *News* newspaper of this day.

Amendments offered by Mr. Richardson of Columbus, by Mr. Atkinson and by Mr. Barringer are read for information.

Mr. Vaughan called the previous question on the amendment offered by himself, but withdrew the call to allow Mr. Ardrey to speak to the amendment; and also yielded to Mr. Carter of Buncombe to speak to the same amendment, at the conclusion of whose remarks the main question is ordered.

The question is then upon the amendment of Mr. Vaughan, upon the adoption of the amendment. Mr. Vaughan called the previous question, which is ordered.

Upon the adoption of this amendment, Mr. Vaughan demanded the ayes and nays. The call is sustained and the amendment is rejected by the following vote:

Ayes—Messrs. Ardrey, Atkinson, Bateman, Bernard, Berry, Bingham, Bird, Blocker, Brown of Mecklenburg, Burroughs, Cary, Christmas, Click, Coffield, Cooke, Dimsdale, Ellison, Ewing, Ferrell, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Huffstetler, Jones, Leach, Leatherwood, Lutterloh, Melson, Miller, Moore, McCorkle, McLean, Norment, Paxton, Powers, Reynolds, Richardson of Wake, Roberson, Taylor, Vaughan, Waddell, Wynne, and York—50.

Nays—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Battle, Bizzell, Blalock, Bonner, Bost, Brown of Yadkin, Bruce, Bryson, Buchan Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Chadwick, Clarke, Cobb, Colwell, Covington, Davis of Catawba, Davis of Haywood, Deans, Dunn, English, Etheridge, Foard, Hines, Johnson, Lamb, Lewis, Lindsay, Lockhart, Meares, Mebane, Newell, Oliver, Orchard, Rawley, Reid of Macon, Reid of McDowell,

Richardson of Columbus, Ritchey, Scott, Smith, Turner, Venable, Wheeler, Wimberly and Young—53.

Upon the passage of the bill, Mr. Brown of Mecklenburg, calls the previous question; the call is sustained and the main question is ordered.

Mr. Cobb, Mr. Lockhart and Mr. Clarke give notice of amendments.

The question is now on the amendment of Mr. Foard, upon which Mr. Foard calls the previous question; the call is sustained and the amendment is accepted by the following vote:

Ayes—Messrs. Amis, Anderson, Armstrong, Barringer, Bateman, Battle, Berry, Bird, Bizzell, Blalock, Bonner, Bost, Bruce, Buchan, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Chadwick, Christmas, Clarke, Cobb, Colwell, Covington, Davis of Catawba, Davis of Haywood, Deans, Dunn, English, Etheridge, Foard, Forbes, Foy, Gatling, Hines, Johnson, Lamb, Lewis, Lindsay, Lockhart, Meares, Mebane, Newell, Oliver, Orchard, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Scott, Smith, Turner, Waddell, Wheeler, and Young—54.

Nays—Messrs. Angier, Ardrey, Atkinson, Bernard, Bingham, Blocker, Brown of Mecklenburg, Brown of Yadkin, Burroughs, Cary, Coffield, Cook, Council, Dimsdale, Ellison, Ewing, Ferrell, Foster, Goldston, Grant, Harrell, Harrison, Henderson, Huffstetler, Jones, Leach, Leatherwood, Lutterloh, Melson, Miller, Moore, McCorkle, McLean, Norment, Paxton, Powers, Reid of McDowell, Richardson of Wake, Ritchey, Roberson, Taylor, Vaughan, Wynne, and York—44.

The following amendment offered by Mr. Atkinson and previously read for information, was put on its adoption:

"*Provided*, That no requirements shall be made of this road as to rates of freight that cannot be made applicable to all other roads in the State, so that the provisions in

regard to the discrimination in freight shall apply alike to all the railroads in this State."

And upon this amendment, Mr. Cooke demands the ayes and nays.

The call is sustained and the amendment is rejected by the following vote:

Ayes—Messrs. Angier, Ardrey, Atkinson, Bateman, Battle, Bingham, Blocker, Brown of Mecklenburg, Brown of Yadkin, Burroughs, Carey, Click, Coffield, Cooke, Council, Dimsdale, Ellison, Ewing, Ferrell, Forbes, Foster, Goldston, Grant, Harrell, Harrison, Henderson, Jones, Leach, Lutterloh, Melson, Miller, Moore, McCorkle, McLean, Norment, Paxton, Powers, Reynolds, Richardson of Wake, Ritchey, Roberson, Taylor, Vaughan, Venable, Wynne, and York—46.

Nays—Messrs. Amis, Anderson, Armstrong, Barringer, Bernard, Berry, Bizzell, Blocker, Bonner, Bost, Bruce, Buchan, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Chadwick, Christmas, Clarke, Cobb, Colwell, Covington, Davis of Catawba, Davis of Haywood, Deans, Dunn, Etheridge, Foard, Foy, Hines, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Newell, Oliver, Orchard, Rawley, Reid of Macon, Reid McDowell, Richardson of Columbus, Scott, Smith, Turner, Waddell, Wheeler, Wimberly, and Young—53.

The following amendment, offered by Mr. Richardson of Columbus, was put on its adoption:

"And farther, the provisions of this amendment shall apply to all the railroads alike in this State."

And it is adopted by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan,

Burroughs, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, Wimberly, Wynne, York, and Young—98.

Nays—Messrs. Jones and Leach—2.

Mr. Jones offers an amendment, which on a division, is lost, and then the question is upon the following amendment offered by Mr. Cobb, under previons notice given:

That section 2 be so amended that it shall read, "That this act shall not be in force before this company shall pay to the State of North Carolina, and to the counties of Wake, Chatham and Moore, the amounts that would be due upon a fair valuation of the property, (including franchise, roadbed, superstructure and rolling stock) of the said company in said counties from the date of its incorporation to the present year; and further, that hereafter the said company shall be liable to taxation on its said property, or that it may hereafter acquire in the same and like manners as the citizens of the State."

Upon the adoption of the amendment, Mr. Cobb demands the ayes and nays. The call is not sustained; and the question is put and lost.

Mr. Armstromg sends forward the following amendment:

That section 1 be amended by striking out the words in the fourth line, "any point on its line," and inserting "Lockville, running *via* the Gulf, Carthage, Troy, Albemarle and Mount Pleasant."

The question on this is put and fails.

Mr. Lockhart's amendment is then read, as follows:

"That section 1 be amended by adding thereto after the last word in the same said section: *Provided*, said company shall complete ten miles of the proposed extension within six months after the passage of this act; and shall complete the extension to Charlotte within five years from the passage of this act."

Upon this amendment, Mr. Hines called the ayes and nays. The call is sustained and the amendment is rejected by the following vote:

Ayes—Messrs. Anderson, Armstrong, Barringer, Bateman, Battle, Bost, Bruce, Buchan, Carter of Buncombe, Carter of Yancey, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Covington, Davis of Catawba, Davis of Haywood, Deans, Dunn, Etheridge, Foard, Foy, Hines, Johnson, Lamb, Lewis, Lindsay, Lockhart, Meares, Oliver, Orchard, Rawley, Reid of Macon, Richardson of Columbus, Scott, Waddell, Wheeler, and Young—40.

Nays—Messrs. Amis, Angier, Ardrey, Atkinson, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Burroughs, Carter of Warren, Carroll, Cary, Coffield, Cooke, Council, Dimsdale, Ellison, English, Ewing, Ferrell, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Huffstetler, Jones, Leach, Leatherwood, Lutterloh, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Paxton, Powers, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey,

Roberson, Smith, Taylor, Vaughan, Venable, Wimberly, Wynne, and York—59.

Mr. Clarke's amendment is then read as follows:

Amend by inserting the following section: "That said corporation shall be liable to taxation from the time said line is located."

The queetion is put on this amendment, and it fails of adoption.

The amendment offered by Mr. Dunn is then read as follows:

Amend in line 4, section 1, by striking out the words "any point on its line to any point in or near the city of Charlotte," and insert the words "Sandford in the most direct, practicable route to the city of Charlotte."

And the question is put on it, and it is rejected.

The question is then put on the bill on its second reading, and it passes, and Mr. Vaughan moves the bill be put on its third reading.

Mr. Covington moves the House adjourn; and the House refuses to adjourn.

The rules are suspended on a division, and the bill is ordered to its third reading.

On the passage of the bill, Mr. Brown of Mecklenburg, demands the previous question.

The call is sustained, and the main question is ordered.

Mr. Powers sends forward the following amendment:

Strike out in lines 6 and 7, section 1, the words "and to build such branch roads therefrom as may be desired by it."

Amend further by adding to section 1 the following proviso: "*Provided, however,* That work shall be commenced on said road within one year after the ratification of this act,

and that said road shall be completed within five years from the ratification of this act, otherwise this act shall be null and void."

On the adoption of the amendment, Mr. Clarke demands the ayes and nays.

The call is not sustained, and the question being put, the amendment is rejected.

And the bill is then put on its third reading, passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

Mr. Vaughan moves to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table; and the motion to table prevails.

Indefinite leave of absence is granted to Mr. Colwell on account of sickness in his family.

And, on motion of Mr. Moore, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Feb. 13th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Norman, of the city.

The reading of the Journal of yesterday is dispensed with, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are presented and referred to the committee on the election of Justices of the Peace:

By Mr. Click, a petition of citizens of Iredell county, asking the appointment of O. G. Williams;

By the same, a petition of 86 citizens of Iredell county, asking the appointment of O. G. Williams as magistrate for said county;

By Mr. Meares, a petition of citizens of Brunswick county asking the appointment of J. B. Evans as magistrate for Town Creek township;

By Mr. Berry, three petitions from citizens of Burke county in relation to the appointment of magistrates;

By Mr. Bernard, a petition from citizens of Farmville township in Pitt county, in relation to the appointment of magistrates;

By Mr. Foy, a petition from citizens of Jones county to the same effect;

By Mr. Carson, a petition of citizens of Alexander county, asking the appointment of A. L. Barnes as magistrate in said county; and

By Mr. Mebane, a petition of Newlin's township in Alamance county, asking the appointment of Thomas Stafford as justice of the peace.

The following to the committee on Propositions and Grievances:

By Mr. Rawley, a petition from citizens of Reidsville, praying for a prohibitory law;

By Mr. Council, a petition from citizens of Watauga asking for a prohibitory law to apply to Elk ⋈ Roads;

By Mr. Berry, a petition from citizens of Burke county, asking a prohibitory law to apply to within two miles of Turkey Tail in Burke county;

By Mr. Gatling, a petition of citizens of Gates county, asking for a prohibitory law to apply within three miles of Sunsbury in said county;

By Mr. Lewis, a petition of citizens of Castalia in Nash county, asking for a prohibitory law;

By Mr. Cobb, a petition of citizens of Lincoln county, asking the formation of a new county;

By the same, another petition to the same effect;

By the same, a petition from citizens of Cleaveland county against the incorporation of Whitaker's Station, &c.; and

By Mr. Berry, a petition from citizens of Burke county, asking for a prohibitory law to apply to within one-and-a-half miles of Linville M. E. church, in said county.

The following to the Committee on Agriculture:

By Mr. Harrison, a petition of citizens of Caswell county praying against the proposed "no fence law" in Caswell county; and

By Mr. Carson, a petition of Jacob Little and seventy-seven other citizens of Miller's township in Alexander county, against the passage of a "no fence" or stock law.

The following to the committee on Internal Improvements:

By Mr. Jones, a petition of about 800 citizens of Catawba county, against the charter of the Lincoln and Catawba railway, and for the protection of their county seat;

By Mr. Cobb, a petition of citizens of Lincoln county, asking a charter of a railroad from Lincolnton to Hickory; and

By Mr. Davis of Catawba, a petition of citizens of Catawba county, praying for the charter of the Lincoln and Catawba Railroad Company.

The following to the committee on Cities, Towns, Townships and Counties:

By Mr. Meares, a petition from citizens of Brunswick and Columbus counties, asking a change of county lines.

The following to the Judiciary Committee:

By Mr. Blalock, a petition from 490 citizens of Mitchell county, praying the passage of a law against the carrying of concealed weapons.

The following to the committee on Finance:

By Mr. Forbes, a petition from the commissioners of

Camden county, asking for the passage of a law to authorize the levy of a special tax.

The following to the committee on Claims:

By Mr. Carter of Warren, a petition from attorneys-at-law in Warren county in favor of George Field.

And the following is placed on the Calendar:

By Mr. Leatherwood, a petition of citizens of Jackson county to prohibit the sale of spirituous liquors within three miles of East La Porte Academy in Jackson county.

REPORTS OF COMMITTEES.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

H. B. 133, a bill to secure the better drainage of the low-lands of Fourth Creek, between Baker's Mill, Rowan county, and Hayne Davis' Mill, Iredell county; and on

H. B. 440, a bill to prohibit the sale of seed or lint cotton without an order from the landowner, his agent or attorney; and unfavorably on

H. B. 442, a bill to prevent obstructions to navigation in the waters of the Albermarle Sound and tributaries; on

H. B. 533, a bill to prevent stuffing ballot-boxes; on

H. B. 561, a bill to exempt section masters and others on railroads from working on the public roads; on

H. B. 443, a bill to provide an annuity for soldiers who lost their sight in the last war; on

H. B. 439, a bill to protect birds in Stokes county; on

H. B. 537, a bill to amend chapter 41, section 10, Battle's Revisal, in reference to surveyors' bonds; on

H. B. 541, a bill to repeal chapter 161, laws of 1876–'77, so far as it relates to Cumberland county; on

H. B. 535, a bill for the better protection of children of this State; on

S. B. 222, H. B. 555, a bill to submit the question of pro-

hibition and license to the voters of the town of Rutherfordton; on

S. B. 330, H. B. 554, a bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition; and recommending that

H. B. 441, a bill to exempt *bona fide* residents of this State from the payment of any tax upon purchases and sales of horses, mules or live stock, be referred to the committee on Finance; and that

H. B. 536, a bill to regulate the admission of patients into the State Insane Asylum, be referred to the committee on Insane Asylum.

Mr. Colwell, from the committee on Public Roads, reports favorably on H. B. 540, a bill to repeal chapter 189, laws of 1876–'77, to construct a road from Phineas Horton's store, Wilkes county, to Deep Gap, Watauga county.

Mr. Richardson of Wake, from the committee on Public Buildings and Grounds, reports on H. B. 490, a bill to repeal chapter 59, private laws of 1876–'77, recommending the adoption of an accompanying substitute.

Mr. Cobb, from the committee on Privileges and Elections, reports on H. R. 60, a resolution to inquire into the right of A. C. Meares to a seat on this floor, asking to be discharged from its further consideration; and unfavorably on

H. B. 548, a bill to repeal a part of section 12, chapter 75, laws of 1876–'77.

Mr. Moore, from the committee on Privileges and Elections, reports unfavorably on H. B. 289, a bill to amend chapter 275, laws of 1876–'77.

Mr. Blaisdell, from the committee on the Judiciary, reports on H. B. 96, a bill to prevent tramps infesting or depredating on citizens of this State.

The committee on Enrolled Bills reports the following bills as correctly enrolled, viz.:

An act to amend sections 8 and 10 of chapter thirty of Battle's Revisal, relating to the duties of county treasurers.

An act for the relief of jurors in the county of Wilkes.

An act to establish a public road in Stokes county.

An act to amend an act to reduce and regulate the cost of the public printing.

An act to amend section 1 of chapter 67 of laws of 1876–'77, it being an act to protect fish in Waccamaw Lake and adjacent waters.

An act to prevent the felling of trees in Tar river, from the Granville line to the falls of the Tar river in the county of Nash.

An act to amend chapter 161 of the laws of 1876–'77, entitled an act in relation to the probate of deeds and conveyances and the privy examination of married women.

An act to amend an act to charter the Watauga and Caldwell Narrow Gauge Railroad.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 363, a bill to be entitled "An act for the relief of the sureties of Jonas Cline, late sheriff of Catawba county."

H. B. 421, a bill to be entitled "An act to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, and for other purposes."

INTRODUCTION OF RESOLUTIONS

By Mr. Venable, a resolution in favor of Stokes county for the maintenance of lunatics outside of the Asylum. Referred to the committee on Propositions and Grievances.

By Mr. White, a resolution requiring registers of deeds to make agricultural reports, which is placed upon the Calendar; and

By Mr. Norment, a resolution in relation to A. C. Meares, member of the House from Brunswick county, which is placed upon the Calendar.

On motion of Mr. Norment, the rules are suspended, and the resolution relating to A. C. Meares is put on its adoption, upon the passage of which Mr. Norment demands the ayes and nays. The call is sustained; and the resolution is adopted by the following vote; and subsequently, on motion of Mr. Norment, the resolution, with accompanying notice of contest, is referred to the committee on the Judiciary:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Yadkin, Bruce, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, McCorkle, McLean, Newell, Norment, Oliver, Paxton, Powers, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Wynne, York, and Young—82.

Nays—Messrs. Bost, Buchan, Chadwick, Cobb, Jones, Moore, Orchard, Reid of Macon, Richardson of Columbus, and Woodhouse—11.

INTRODUCTION OF BILLS.

The following bills are introduced, read the first time, and referred as follows:

To the committee on the Judiciary:

By Mr. Brown of Mecklenburg, a bill to change the times of holding the courts in the sixth judicial district; and

By Mr. Lockhart, a bill to amend chapter 45, section 147, Battle's Revisal, concerning executors and administrators.

To the committee on Propositions and Grievances:

By Mr. Battle, a bill to provide a fund for the payment of jurors in Edgecombe county; and

By Mr. Venable, a bill to repeal prohibition in Meadow township, in Stokes county.

To the committee on Cities, Towns, &c.:

By Mr. Davis of Haywood, a bill to create a new township out of a portion of Waynesville and Beaver Dam townships, in the county of Haywood; and

By Mr. Meares, a bill to repeal an act to change the dividing line between the counties of Brunswick and Columbus.

The following to the committee on Internal Improvements:

By Mr. Scott, a bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company.

The following to the committee on Finance:

By ————, a bill to prevent the sale of railroad and other corporation bonds for reduced rates, for the final redemption of which tax may have been levied and collected.

The following to the committee on Railroads, &c.:

By Mr. Dunn, a bill to aid in constructing public roads and other public works in the counties of Greene and Lenoir.

And the following are placed on the Calendar:

By Mr. Leatherwood, a bill to prohibit the selling or giving away of spirituous liquors within three miles of East La Porte Academy in Jackson county; and

By Mr. Miller, a bill to prohibit members of the General Assembly and judges of the supreme and superior courts from accepting free passes over any railroads in the State.

LEAVE OF ABSENCE

is granted to Mr. Covington from to-morrow until Tuesday next, and to Mr. Wimberly to the same time.

THE SPECIAL ORDER,

S. B. 159, a bill to abolish the tax fees of attorneys charged in bills of costs in civil cases, is announced.

Mr. Lindsay moves to suspend the rules to take up a bill indicated by himself, and the House refuses to suspend the rules.

The consideration of the special order is resumed.

Mr. Blocker offers the following amendment:

"*Provided*, that the provisions of this act shall not apply to actions on plain notes of hand, where there is no defence, or to actions before justices of the peace," and the amendment is accepted.

On the adoption of the substitute offered by Mr. Vaughan, as amended by the amendment of Mr. Blocker, Mr. Vaughan calls the previous question. The call is sustained and the main question is put.

The question is upon the substitute as amended, and on a division it is rejected—ayes 22, nays 52.

And then the question is on the passage of the bill on its second reading. Upon the passage upon this reading, Mr. Amis demands the previous question. The call is sustained and the main question is put.

The question is then on an amendment offered by Mr. Cooke, as follows:

"Amend by adding the following section:

"'SEC. 2. That there shall be taxed by the clerk of the superior court in every civil action, as part of the costs, three dollars, which shall be held by him as a fund for the payment of the jurors of said superior court, and shall be so paid out by said clerk.'"

An amendment to this amendment offered by Mr. Brown of Mecklenburg, to strike out "three" and insert "two," is

rejected; and the question recurs on the adoption of the amendment offered by Mr. Cooke.

Upon which Mr. Vaughan demands the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Ardrey, Armstrong, Barringer, Berry, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Carter of Yancey, Clarke, Cobb, Cooke, Council, Deans, English, Foster, Grant, Huffstetler, Johnson, Lindsay, Lockhart, Meares, Melson, Norment, Oliver, Orchard, Powers, Rawley, Richardson of Columbus, Taylor, Turner, Vaughan, York, and Young—35.

Nays—Messrs. Amis, Anderson, Angier, Atkinson, Battle, Bernard, Bingham, Bird, Bizzell, Blocker, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Carter of Warren, Carroll, Carson, Cary, Christmas, Click, Coffield, Colwell, Davis of Haywood, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Forbes, Foy, Fulcher, Gatling, Goldston, Harrison, Henderson, Hines, Lamb, Leach, Leatherwood, Lowry, Lutterloh, Mebane, Miller, Moore, McCorkle, McLean, Newell, Paxton, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Roberson, Scott, Smith, Waddell, Wheeler, White, Wimberly, and Woodhouse—61.

And the bill is then put on its second reading and passes, and without objection is put on its third reading and passes, and is ordered to be enrolled for ratification.

Mr. Mebane moves to reconsider the vote by which the bill passes its third reading, and to lay that motion on the table; and the motion to table prevails.

THE SECOND SPECIAL ORDER,

H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State, is announced.

Mr. Jones of Caldwell, moves to indefinitely postpone the bill.

The reports of the majority and minority of the committee are read.

Mr. Clarke moves the adoption of the minority report.

Mr. Ellison sends forward a report, which, being read, is ruled by the Speaker, Mr. Cooke in the Chair, to be inadmissible as not being germane to the matter in hand.

Mr. Jones moves that the rules of the House be suspended to admit unlimited debate; and the question is put on that motion and lost.

Mr. Jones calls the previous question.

The Speaker rules that not being the introducer of the bill, nor reporting the bill, it was not competent for Mr. Jones to call the previous question.

Mr. Jones claims his right to move it as the author of the motion to indefinitely postpone, and appeals from the decision of the Chair; but subsequently withdraws it.

Mr. Clarke offers an amendment to the minority report, being in the nature of correction to certain errors of language and supply certain omissions of words.

On the adoption of the minority report, Mr. Clarke demands the previous question.

Mr. Atkinson moves this House do adjourn; and the House refuses to adjourn; and the call for the previous question is sustained, and the main question is put.

The question is then on the motion of Mr. Jones to indefinitely postpone, upon which Mr. Jones calls the ayes and nays.

The call is not sustained, and the question being put on the motion to indefinitely postpone, it fails.

The question is then put on the substitute for the minority report, which is accepted; and then the question is put on the minority report, which is rejected by the following vote:

Ayes—Messrs. Battle, Bird, Blaisdell, Blalock, Brown of Yadkin, Bruce, Carter of Warren, Christmas, Clarke, Deans,

Dixon, Dunn, Ferrell, Foy, Henderson, Jones, Lindsay, Lowry, Norment, Pettipher, Reynolds, Scott, Turner, Venable, Waddell, Wimberly, and Wynne—27.

Nays—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blocker, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Yancey, Cary, Chadwick, Cobb, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Dimsdale, Ellison, English, Etheridge, Ewing, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Meares, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, York, and Young—70.

And then the question is put on the bill on its second reading, and it fails to pass, not having received the required constitutional majority, as appears by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Yancey, Chadwick, Cobb, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Dimsdale, English, Etheridge, Ewing, Foard, Forbes, Foster, Fulcher, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Moore, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Smith, Taylor, Turner, Vaughan, Wheeler, York, and Young—66.

Nays—Messrs. Battle, Bird, Blaisdell, Brown of Yadkin, Bruce, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Deans, Dixon, Dunn, Ellison, Ferrell, Foy, Gatling, Henderson, Jones, Lowry, Lutterloh, Melson, Miller,

McCorkle, Newell, Norment, Pettipher, Reynolds, Ritchey, Scott, Waddell, White, Wimberly, Woodhouse, and Wynne —35.

Mr. Vaughan moves to reconsider the vote by which the bill failed to pass, and to make the motion to reconsider the special order for Wednesday next at 12 o'clock.

Mr. Clarke moves to lay the motion to reconsider on the table; the motion fails, and then the question is put on the motion of Mr. Vaughan, and it prevails, and the order of the House is made to conform to the motion.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 397, a bill to amend the election law;

S. B. 198, a bill to re-enact an act to run and establish the dividing line between the counties of Wayne and Greene; and

S. B. 326, a bill concerning mortgages issued by incorporate companies.

They are read the first time in this House; and

S. B. 397 is referred to the committee on Elections,

S. B. 198, to the committee on Propositions and Grievances; and

S. B. 326, to the committee on the Judiciary.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 359, a bill to change the names of certain townships in Pender county;

S. B. 262, a bill to change the time of holding the superior courts in the ninth judicial district;

Senate amendments to H. B. 241, a bill for the benefit of the Winston, Salem and Mooresville Railroad; and

Senate amendments to H. B. 213, a bill to amend the charter of the town of Mooresville, in Iredell county.

They are read the first time in this House, and

S. B. 359 is referred to the committee on Cities, Towns, &c.;

S. B. 262, to the committee on the Judiciary;

Senate amendments to H. B. 241 to the committee on Internal improvements; and

Senate amendments to H. B. 213 to the committee on Cities, Towns, Townships and Counties;

And on motion of Mr. Vaughan, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Friday, Feb. 14, 1879.

The House meets at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Atkinson of the city.

The reading of the Journal is suspended, and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are presented and referred to the committee on Propositions and Grievances:

By Mr. Richardson of Columbus, a petition from citizens of Flemington, asking the repeal of the prohibitory law applicable to that town;

By the same, a petition from sundry citizens of Flemington against such repeal;

By Mr. Brown of Mecklenburg, a memorial of the Mining Board of Charlotte, praying against the abolition of the office of State Geologist;

By Mr. Richardson of Columbus, a petition to prohibit the sale of liquors within two miles of Bogue Chapel Baptist church;

By the same, a petition from certain citizens of Columbus county, asking the protection of deer and wild turkies from the 1st day of February to the 15th day of August.

By Mr. Berry, two petitions from citizens of Burke county, asking that a new county be cut off from the counties of Burke, Catawba, Lincoln and Cleaveland;

By Mr. Click, a petition from citizens of Iredell county asking for a graded road from Statesville to Mooresville;

By Mr. Rawley, a petition from citizens of Reidsville protesting against a prohibitory law for that place;

By Mr. Meares, a petition of citizens of Brunswick asking the repeal of the liquor law of said county;

By Mr. Barringer, a petition against the incorporation of Back Creek church, in said county, &c.; and

By Mr. Reid of McDowell, a petition from citizens of McDowell county asking for a prohibitory law for Old Fort township, subject to the decision of the qualified voters of said township.

The following to the committee on Election of Justices of the Peace:

By Mr. Click, a petition asking for the appointment of R. Ramsey as magistrate for Iredell county;

By Mr. Barringer, a petition of Mount Ulla township, Rowan county, asking the appointment of W. L. Kesler as a magistrate for said township; and

By Mr. Grant, a petition of citizens of Weldon township, Halifax county, asking the appointment of W. A. Daniell as a magistrate for said township.

The following to the committee on Education:

By Mr. Orchard, a petition from citizens of No. 12 town-

ship, Cabarrus county, asking for a law to establish a graded school in said township; and

By the same, three petitions from citizens of the same township against such law.

The following to the committee on Public Roads:

By Mr. Young, a petition of citizens of Rutherford county, asking that the road laws be changed so as to give justices of the peace entire charge of the matter; and

By Mr. Mebane, a petition of seventy-five citizens of Alamance county asking for a law to keep up public roads by taxation.

The following to the committee on Corporations:

By Mr. Huffstetler, a petition in the nature of a protest against the incorporation of Lowell, in Gaston county.

And the following to the committee on Privileges and Elections:

By Mr. Norment, the petition of Augustus Robbins, a candidate for the House of Representatives from the county of Bertie.

REPORTS OF COMMITTEES.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

H. B. 311, a bill to allow non-resident executors to take oath before commissioners of affidavits; on

S. B. 194, H. B. —, a bill to provide for the registration of certain deeds and other instruments of writing; on

H. B. 65, a bill to amend chapter 32, Battle's Revisal, entitled "crimes and punishments;" on

S. B. 326, H. B. 599, a bill concerning mortgages issued by incorporate companies; on

H. B. 460, a bill for the benefit of jurors and witnesses in cases of homicide in this State; on

S. B. 297, H. B. 573, a bill to prohibit the carrying of concealed weapons, recommending the adoption of H. B. —, on the Calendar, as a substitute for the bill; and unfavorably on

S. B. 311, H. B. 546, a bill to change the times for holding the superior courts in the counties of Beaufort, Hyde, Pamlico, Dare and Tyrrell; on

S. B. 34, H. B. 398, a bill to amend an act to establish courts inferior to the supreme court, to be styled inferior courts; on

H. B. 508, a bill to amend section 3, chapter 154, of the laws of 1876-'77; on

H. B. 509, a bill to alter the Constitution of the State; on

H. B. 259, a bill for the equitable relief of certain classes of indebted persons; on

H. B. 529, a bill to amend chapter 8, section 137, Code of Civil Procedure in relation to supreme courts; on

H. B. 569, a bill for the payment of commissioners and jurors for laying off dower and year's allowance to widows; on

H. B. 292, a bill to amend sections 3 and 4 of chapter 80 of Battle Revisal; on

H. B. 569, a bill to amend chapter 119, Battle Revisal, entitled "Wills and Testaments"; on

H. B. 375, a bill to amend section 3, chapter 80, Battle's Revisal; on

H. B. 361, a bill for the relief of B. F. Jones, ex-sheriff of Yadkin county, allowing him to collect arrears of taxes for the year 1875; on

H. B. 419, a bill to alter the Constitution of North Carolina; on

H. B. 217, a bill to amend chapter 25, Battle's Revisal, providing compensation for jurors summoned to hold inquests; on

H. B. 109, a bill to amend the charter of the city of Charlotte.

Mr. Covington, from the committee on the Judiciary, reports unfavorably on

H. B. 228, a bill to confer upon the inferior court of Mecklenburg county civil jurisdiction in certain cases.

Mr. Bryson, from the committee on Claims, reports unfavorably on

H. R. 127, a resolution in favor of George Fields.

Mr. Holt, from the committee on Finance, reports unfavorably on

S. R. 293, H. R. 145, a resolution in relation to the funeral expenses of the late Chief Justice Pearson.

Mr. Vaughan, from the committee on the Judiciary, reports on

S. B. 157, H. B. 550, S. B. 262, H. B. 603, S. B. 393, H. B. 577, that the committee, unable to agree upon any amendments thereto, reports back these bills without any recommendation.

Mr. English, from the committee on Engrossed Bills, reports the following bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. —, a bill to be entitled "An act to extend the Raleigh and Augusta Air-Line Railroad from any point on its line to any point in or near the city of Charlotte."

INTRODUCTION OF RESOLUTIONS.

By Mr. Jones, a resolution in favor of Caldwell county, which is referred to the committee on Claims.

By Mr. Turner, a resolution upon legislative spoliation of the State, which is placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Norment, a bill to amend section 18, chapter 275, laws of 1876–'77, in regard to elections;

By Mr. Taylor, a bill to regulate public laws;

By Mr. Dixon, a bill to amend chapter 260, laws of 1876–'77;

By Mr. Huffstetler, a bill to amend the private laws of 1871-'72, in chapter 46, section 38, sub-section 7;

By Mr. English, a bill to regulate the sale of spirituous liquors in certain localities; and

By Mr. Moore, a bill to prevent the sale of spirituous liquors within one mile of Oak Grove church, in Pitt county.

The following are referred to the committee on the Judiciary:

By Mr. York, a bill to provide for the sale of solvent judgments in favor of counties against defaulting officers; and

By Mr. Robinson, a bill in relation to mortgages and deeds in trust.

The following are referred to the committee on Fish Interests:

By Mr. Holt, a bill to provide for free passage of fish up Neuse river and Swift and Middle creeks, in Johnston county; and

By Mr. Newell, a bill to prevent the fishing for shad with drift nets from the mouth of Cape Fear river to the Bladen county line.

The following are referred to the committee on Agriculture:

By Mr. Lewis, a bill to protect sheep raisers from dogs and to provide a compensation to owners for any such loss; and

By Mr. Coffield, a bill declaring Lower Little River in Harnett and Cumberland counties, a lawful fence.

By Mr. Davis of Haywood, a bill to establish a new county by the name of Jarvis, which is referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Davis of Madison, a bill to ascertain the indebtedness of Madison county, which is referred to the committee on Finance.

By Mr. Huffstetler, a bill to incorporate the town of Mount Holly in Gaston county, which is referred to the committee on Corporations.

By Mr. Orchard, a bill to establish graded schools in No. 12 township, in the county of Cabarrus, which is referred to the committee on Education.

LEAVE OF ABSENCE

is granted to Mr. Foster, to Mr. Harrell and to Mr. English until Monday next; to Mr. Bernard until Tuesday next; to Mr. Lamb until Monday next; to Mr. Carter of Warren, until Tuesday; to Mr. Goldston until Monday, to Mr. Lockhart until Monday; to Mr. Cary until Thursday; to Mr. Buchan until Wednesday; to Mr. Leatherwood to the same day; to Mr. Jones until Tuesday; and to Mr. Taylor until Monday.

THE SPECIAL ORDER,

H. B. 502, a bill concerning salaries and fees, is announced.

On motion of Mr. Atkinson, the consideration of the special order is postponed for five minutes, to take up

H. B. 544, a bill to establish a new township in Buncombe county, to be known as Black Mountain township.

The bill is put on its readings and passes, and the bill is ordered to be sent to the Senate without engrossment; and it is so transmitted.

On motion of Mr. McCorkle, the rules are further suspended, and

Senate amendments to H. B. 213, a bill to amend the charter of the town of Mooresville, on his motion, are concurred in, and the bill is ordered to be enrolled for ratification, and the Senate is informed of the action of the House.

Mr. Burroughs moves the special order be postponed until Thursday at 12 o'clock.

Mr. Norment offers an amendment which, upon being put to the House, is lost.

On motion of Mr. York, the rules are again suspended, and

H. B. 540, a bill to repeal chapter 189, laws of 1876-'77, to lay off and construct a public road from Phineas Horton's store, Wilkes county, &c.

And the bill is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

THE SPECIAL ORDER

is resumed.

Amendments are offered by Mr. Amis, Mr. Blocker, Mr. Ritchey, Mr. Barringer, Mr. Coffield, Mr. Davis of Haywood, &c.

Mr. Norment moves to lay the bill on the table, and on that motion demands the ayes and nays. The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Ardrey, Battle, Blaisdell, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bryson, Carter of Warren, Cary, Christmas, Clarke, Cobb, Coffield, Cooke, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, Etheridge, Ferrell, Forbes, Foy, Grant, Harrison, Hobbs, Holt, Johnson, Lewis, Lowry, Lutterloh, Melson, McCorkle, Newell, Norment, Orchard, Pettipher, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Scott, Waddell, White, and Wynne—46.

Nays—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Bruce, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Click, Council, Davis of Haywood, Dimsdale, English, Ewing, Fulcher, Gatling, Goldston, Henderson, Hines, Huffstetler, Jones, Lamb, Leach, Lindsay, Meares, Mebane, Miller, Moore, McLean, Oliver, Paxton, Powers, Rawley, Reid of Macon, Ritchey, Roberson, Smith, Taylor, Turner, Vaughan, Wheeler, York, and Young—55.

Mr. Norment moves to refer the bill back to the committee on Salaries and Fees, and on motion of Mr. Davis of Haywood, the motion is amended so as to include all the amendments offered.

On the motion to recommit, Mr. Reid of Macon, demands the previous question. The call is sustained, and the main question ordered.

The question is then on the motion of Mr. Norment as amended, which is adopted, and the bill and amendments referred back to the committee on Salaries and Fees.

A MESSAGE FROM THE GOVERNOR,

covering the report of the Adjutant-General, is received. The message is read; and on motion, the message and report are ordered to be transmitted to the Senate for the consideration of that body; and they are so transmitted.

On motion of Mr. Brown of Mecklenburg,

H. B. 267, a bill to incorporate the town of Newton Grove, in Sampson county, is put on its several readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Armstrong,

H. B. 369, a bill to incorporate the town of Burgaw, in Pender county, is put on its third reading and passes by the following vote, and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Click, Coffield, Davis of Catawba, Davis of Haywood, Deans, Dixon, English, Etheridge, Forbes, Foy, Fulcher, Gatling, Goldston, Harrison, Henderson, Hines, Hobbs, Jones, Johnson, Lamb, Leach, Lindsay,

Lowry, Lutterloh, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, White, York, and Young—78.

H. B. 518, a bill for a stock law in Iredell county, is put on its second reading.

Mr. Norment offers the following amendment:

"*Provided*, that all costs and expenses accruing under this act shall be paid by the township in which the cause originated."

The amendment is rejected, and the bill passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, English, Ewing, Foard, Forbes, Fulcher, Gatling, Goldston, Grant, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Lindsay, Lowry, Mebane, Melson, Miller, Moore, McCorkle, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey Roberson, Smith, Taylor, Vaughan, Wheeler, York, and Young—71.

Nays—Messrs. Battle, Carter of Warren, Cary, Christmas, Clarke, Dimsdale, Dixon, Dunn, Ferrell, Foy, Henderson, Hobbs, Lewis, Pettipher, Reynolds, Scott, Turner, Waddell, and White—19.

On motion of Mr. Carroll,

S. B. 117, a bill concerning streams used to propel machinery, is put on its readings and passes, and is ordered to be enrolled for ratification.

On motion of Mr. Richardson of Columbus,

H. B. 276, an act to create two new townships in the county of Bladen, is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Richardson of Columbus, moves to reconsider the vote by which the bill passed its final reading, and lay that motion on table; and the motion to table prevails.

On motion of Mr. Taylor, the rules are suspended, and

S. R. 329, a resolution to raise a joint committee on Railroads and Transportation Companies, is put on its readings and passes, and is ordered to be enrolled for ratification.

H. B. 114, a bill to prevent the enticing of seamen, is put on its third reading and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Ardrey,

H. B. 464, a bill to incorporate the town of Matthews, in the county of Mecklenburg, is put on its third reading.

An amendment, offered by Mr. Ardrey, striking out the names of intendent, commissioners and constable named in the bill, and inserting other names, is adopted, and the bill as amended passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate:

Ayes—Messrs. Amis, Anderson, Ardrey, Armstong, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Forbes, Foy, Fulcher, Gatling, Goldston, Grant, Harrison, Henderson, Hines, Hobbs, Huffstetler, Johnson, Lamb, Leach, Lindsay, Lowry, Lutterloh, Mebane, Miller, Moore, McCorkle, McLean, Newell, Norment, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Ritchey,

Smith, Taylor, Vaughan, Waddell, Wheeler, White, York, and Young—80.

Nays—None.

On motion of Mr. Blaisdell,

H. R. 140, resolution in regard to the Albemarle and Chesapeake Canal, is taken up.

Mr. Turner offers the following amendment:

"That the committee shall not accept of wine and oysters from any member of the corporation, whose short comings and short tolls are to be investigated."

On the amendment the question is put on a division and rejected, ayes 10, nays 55.

The question is then on the resolution on its recond reading, and it passes and goes to a third reading.

Mr. Vaughan moves to insert the word "this" before "General Assemby," and the amendment is accepted.

Mr. York offers the following amendment:

Strike out "2" on the part of the House and "1" on the part of the Senate, and insert respectively "3" and "2."

Mr. Richardson of Columbus, moves the whole matter be referred to a special committee of five on the part of the House to ascertain whether cause for investigation exists.

The question is on the amendment of Mr. Richardson.

Mr. Blaisdell calls the previous question; and the call is sustained, and the main question ordered.

The question is then on the amendment of Mr. Richardson, and, on a division, it is lost.

Mr. Turner offers the following amendment:

Amend by adding that the committee upon detecting frauds

or corruption in the management, shall forthwith take steps to have the guilty parties bound over to answer criminally.

The question is put on the amendment, and on a division, it is rejected.

And the question recurs on the passage of the resolution on the third reading, and it passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Scott,

H. B. 350, a bill to relieve farmers and others from payment of special tax, is taken up, and passes its second reading.

On the third reading, Mr. Powers moves to strike out the words " material " and insert " farm products."

On the passage of the bill, Mr. Scott called the previous question. The call is sustained, and the main question ordered.

The question is on the amendment of Mr. Powers, which is rejected.

The question is then on the motion of Mr. Bost, (previously made) to refer the bill to the Judiciary Committee, which is lost; and then on the passage of the bill on its third reading. The bill passes and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Jones of Caldwell,

H. B. 314, a bill to incorporate Marion Camp Ground, in Caldwell county, is put on its readings. The amendment of the Committee is adopted and the bill then passes its several readings, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Clarke, the House adjourns till half-past seven o'clock this evening.

EVENING SESSION, Feb. 14th, 1874.

The House is called to order at half-past seven o'clock.
Mr. Vaughan in the Chair.

THE CALENDAR.

is taken up.

H. B. 50, a bill to amend section 28, chapter 105, Battle's Revisal, and, on motion, is laid on the table.

On motion of Mr. Orchard, the rules are suspended and

H. B. 264, a bill to incorporate the American Gold Company of North Carolina, is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Orchard,

H. B. 265, a bill to incorporate the Standard Gold Company of North Carolina, is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Berry, the rules are suspended, and

S. B. 157, H. B. 550, a bill to amend section 8, chapter 255, laws of 1876-'77, is taken up.

On motion of Mr. Council, the bill is referred to the committee on the Judiciary.

LEAVES OF ABSENCE

are granted to Messrs. Ardrey, Cooke, Moring and Enrolling Clerk Brooks, until Monday, and indefinitely to Mr. Roberson.

On motion of Mr. Bost, the Calendar is placed at the disposal of the Speaker.

S. B. 50, H. B. 366, a bill to prohibit the removal of causes, except where the ends of justice absolutely require

it, is taken up, passes its several readings, and is ordered to be enrolled for ratification.

H. B. 96, a bill to prevent tramps from infesting or depredating upon the citizens of the State, is put on its second reading, the question being upon the substitute.

On the passage of the bill Mr. Orchard calls the previous question; and on a division, the House refuses the call, ayes 29, nays 31.

The question is on the substitute.

Mr. Cooke sends forward the following amendment:

In line 2, section 5, after the word "act" insert, "shall cause the said offender to be arrested upon a warrant before some justice of the peace."

Mr. Reynolds offers the following amendment:

At the end of section 5, add: "*Provided*, that this act shall not apply to persons in search of work," which is offered as an amendment to the bill.

On the passage of the bill on its second reading, the previous question is called.

The question recurs on the substitute, which is adopted.

Mr. Cooke's amendment is adopted.

Mr. Reynold's amendment is lost on a division.

The amendment of Mr. Richardson of Columbus, is adopted.

The amendment of Mr. Scott is rejected.

The question recurs on the passage of the bill on its second reading. On the call of Mr. Ellison, the ayes and nays are called and the bill passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Atkinson, Berry, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Yancey, Carroll, Carson, Click, Cobb, Cooke, Council, Davis of Catawba,

Davis of Haywood, Deans, Foard, Gatling, Goldston, Grant, Hewett, Hines, Holt, Huffstetler, Johnson, Lamb, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Richardson of Columbus, Ritchey, Smith, Taylor, Woodhouse, York, and Young—56.

Nays—Messrs. Battle, Bingham, Bird, Bizzell, Blocker, Bruce, Bryson, Cale, Carter of Warren, Christmas, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Leach, Lutterloh, Newell, Norment, Pettipher, Reid of McDowell, Reynolds, Scott, Turner, Waddell, Wheeler, and White—31.

By consent, Mr. Norment introduces a bill to relieve the tax payers of North Carolina, which is referred to the committee on Propositions and Grievances by request, with the motion that the bill be printed.

H. B. 245, a bill requiring town and city collectors of taxes and fines to make monthly reports, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate.

S. B. 61, H. B. 144, to amend section 4, chapter 105, Battle's Revisal, regulating the fees of jailers, is put on its second reading.

The question is on the amendment of the committee.

Mr. Dunn moves to amend the amendment by striking out "30" and insert "40," and the question being put the amendment is rejected.

Mr. Norment moves to lay the bill on the table, and the motion prevails.

H. R. 109, a resolution in favor of the Enrolling and Engrossing Clerks, is put on its second reading and passes. On going to its third reading, Mr. Barringer moves to lay the resolution on the table, and the motion prevails on a division.

Mr. Woodhouse moves to reconsider the vote by which the resolution is tabled, and reconsideration is had. The

resolution is again put on its third reading, upon which Mr. Norment demands the ayes and nays. The call is sustained, and the resolution passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Atkinson, Berry, Bizzell, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carroll, Carson, Click, Cobb, Council, Davis of Catawba, Davis of Haywood, Forbes, Gatling, Goldston, Grant, Hewett, Hines, Holt, Huffstetler, Johnson, Lamb, Lindsay, Meares, Mebane, Melson, Moore, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Taylor, Woodhouse, and York—43.

Nays.—Messrs. Barringer, Battle, Bingham, Bird, Blalock, Blocker, Bruce, Bryson, Cale, Christmas, Cooke, Deans, Dimsdale, Dixon, Ellison, Ewing, Foard, Foy, Henderson, Hobbs, Leach, Lewis, Lowry, Lutterloh, Miller, McLean, Newell, Norment, Oliver, Pettipher, Powers, Smith, Turner, Waddell, Wheeler, White, and Young—36.

S. B. 435, H. B. 570, a bill to correct the erroneous numbering of a certain bond, is put upon its passage and passes its several readings, and is ordered to be enrolled for ratification.

And on motion of Mr. Holt, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, Feb 15th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Vaughan, Speaker *pro tem.*, and is opened with prayer by the Rev. Mr. Dixon of Chapel Hill.

The Journal of yesterday is partially read, and stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on the Selection of Justices of the Peace:

By Mr. Norment, a petition from citizens of Robeson county asking the appointment of John G. McLean as a magistrate for Alfordsville township, in said county; and

By Mr. Davis of Madison, a petition of citizens of Madison county asking the appointment of O. B. Halcombe as magistrate for township No. 5, in said county.

The following to the committee on Propositions and Grievances:

By Mr. Blalock, a petition from citizens of Mitchell county, praying to be relieved from an order of the board of commissioners; and

By Mr. Smith, a petition from citizens of Davidson county, asking the prohibition of the sale of liquors within three miles of Jersey Settlement Baptist church in said county.

The following to the committee on Internal Improvements:

By Mr. Foy, a petition from citizens of Jones and Onslow counties, asking assistance in improving White Oak river, &c.

REPORTS OF COMMITTEES.

Mr. McLean, from the committee on Education, recommends that no action be taken on the

Petition of John Lingler, of Rowan county, to raise a school fund from 80 cents to $1.00 per annum; also on the

Petition from colored citizens from same county in regard

to redress in the school law in reference to school committeemen; also recommending the reference of the

Petition from the Western Carolina Education Company to the committee on Propositions and Grievances; and unfavorably on

H. R. 35, a resolution to provide for increasing the time for keeping open the public schools; on

H. B. 565, a bill to regulate text-books in the free common schools of the State; on

H. B. 373, a bill to amend chapter 162, laws of 1876–'77; on

H. B. 427, a bill to exempt school teachers from working public roads; and favorably on

H. B. 57, a bill to give teachers of the first grade two dollars per day, second grade one dollar and a half per day, and third grade one dollar per day.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. B. 581, a bill to authorize the county commissioners of Macon county to levy a special tax.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on

H. B. 563, a bill to secure a better condition of the public roads.

Mr. York, from the committee on Fish Interests, reports favorably on

H. R. 19, S. R. 185, a resolution for a conference with the authorities of South Carolina and Tennessee, &c., &c.; on

H. B. 236, a bill to amend sections 2, 4 and 5, private laws of 1876–'77, recommending the adoption of an accompanying substitute; and favorably on

H. B. 580, a bill regulating the size of fish packages, on petitions from citizens of Craven and Carteret counties, recommending favorably a bill in conformity with the requests of said petitions; and unfavorably on

H. B. 250, a bill to regulate the taking of shad in the waters of Neuse river; on

H. B. 28, a bill to repeal an act, section 1, chapter 105, laws of 1876–'77, and insert an act in its stead; and on

H. B. 383, a bill to prevent the hauling of seins in Roanoke river on certain days.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports on

H. B. 286, a bill to incorporate the Lincoln and Catawba Railway Company; that the committee are evenly divided on the bill, and report it back without any recommendation and without prejudice to either side.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolution to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 314, a bill to be entitled an act to incorporate Marvin Camp Ground in Caldwell county.

H. B. 464, a bill to be entitled an act to incorporate the town of Mathews in the county of Mecklenburg.

H. B. 114, a bill to be entitled an act to prevent the enticing of seamen from vessels.

H. B. 267, a bill to be entitled an act to incorporate the town of Newton Grove in the county of Sampson.

H. B. 540, a bill to be entitled an act to repeal chapter 189 of laws 1876–'77, and to lay off and construct a public road, &c.

H. B. 369, a bill to be entitled an act to incorporate the town of Burgaw in the county of Pender.

H. B. 276, a bill to be entitled an act to create two new townships in the county of Bladen.

H. B. 350, a bill to be entitled an act to relieve farmers and others from paying special tax.

H. R. 140, resolution in regard to the Albemarle and Chesapeake Canal Company.

INTRODUCTION OF BILLS.

By Mr. Brown of Mecklenburg, a bill to amend an act authorizing the incorporation of homestead and building associations in this State; and

By Mr. Click, a bill to amend chapter 154, laws of 1876–'77, both of which are referred to the committee on the Judiciary.

By Mr. Gatling, a bill to prohibit the sale of intoxicating liquors within two miles of the limits of Sunsbury, Gates county; and

By Mr. Smith, a bill to prohibit the sale of liquors within one and one-half mile of Jersey Settlement Baptist church, Davidson county, both of which are referred to the committee on Propositions and Grievances.

By Mr. Brown of Mecklenburg, a bill to change the mode of appointing State Directors in the Western North Carolina Railroad Company, which is referred to the committee on Internal Improvements.

By Mr. Deans, a bill to amend chapter 285 of laws of 1876–'77, concerning graded schools, which is placed on the Calendar.

By Mr. Grant, a bill to amend an act entitled an act to protect the agricultural interests in Oconochee creek, laws of 1876–77, chapter 60, which is referred to the committee on Agriculture.

By Mr. Council, a bill to allow railroads to change their guage, which is referred to the committee on Railroads, Post Roads, &c.

By Mr. Rawley, a bill declaratory of the meaning of and amendatory of the charter of the town of Reidsville, which is referred to the committee on the Judiciary.

On motion of Mr. Click, the rules are suspended, and

H. B. 518, a bill for a stock law in Iredell county, is taken up on its third reading, and passes by the following vote:

Ayes—Messrs. Amis, Angier Armstrong, Barringer, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bryson, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Etheridge, Ferrell, Foard, Forbes, Fulcher, Henderson, Hewett, Hines, Huffstetler, Johnson, Leach, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Wheeler, Woodhouse, York, and Young—59.

Nays—Messrs. Battle, Christmas, Foy, Hobbs, Lewis, Newell, Pettipher, Reynolds, Scott, Waddell, and White —11.

Mr. McLean moves to reconsider the vote by which H. B. 144, S. B. 61, a bill to amend section 40, chapter 105, Battle's Revisal, regulating the fees of jailers, was tabled last night.

The question is put and the motion fails for the want of a quorum voting.

Mr. Norment renews the motion, and on his call the ayes and nays are had, and the motion to reconsider is carried by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Berry, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Carter of Yancey, Carroll, Carson, Chadwick, Click, Council, Davis of Catawba, Davis of Madison, Dimsdale, Etheridge, Ewing, Ferrell, Foard, Forbes, Fulcher, Gatling, Hewett, Hines, Holt, Horton, Huffstetler, Johnson, Leach, Lewis, Linsay, Lowry, Meares, Mebane, Melson, McCorkle, McLean, Orchard, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Venable, Wheeler, Woodhouse, York, and Young—56.

Nays—Messrs. Anderson, Battle, Bingham, Bryson, Cale, Christmas, Davis of Haywood, Deans, Dixon, Dunn, Foy,

Grant, Harrison, Henderson, Hobbs, Miller, Moore, Newell, Norment, Oliver, Paxton, Pettipher, Reid of Macon, Scott, Smith, and White—26.

Mr. Richardson of Columbus moves to reconsider the vote by which the amendment fixing the fee at 20 cents was defeated. The reconsideration is had, on a division, by a vote of ayes 41, nays 22.

The question then recurs on the amendment of Mr. Richardson of Columbus, to strike out 30 and insert 20 cents.

On the call of Mr. Norment, the ayes and nays are had, and the amendment is adopted by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Bingham, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Chadwick, Click, Cobb, Davis of Catawba, Davis of Haywood, Etheridge, Foard, Forbes, Fulcher, Hewett, Hines, Holt, Huffstetler, Johnson, Leach, Lindsay, Meares, Melson, Miller, Moore, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Wheeler, Woodhouse, York, and Young—46.

Nays—Messrs. Anderson, Battle, Bird, Blaisdell, Bruce, Cale, Carson, Christmas, Council, Deans, Dimsdale, Dixon, Dunn, Ferrell, Foy, Gatling, Grant, Harrison, Henderson, Hobbs, Horton, McLean, Newell, Norment, Pettipher, Reynolds, Richardson of Wake, Scott, Venable, Waddell, and White—32.

The question recurs on the bill on its second reading.

Mr. McCorkle offers the following amendment:

"Amend by saying the county commissioners may allow thirty-five cents per day, discretionary with the sheriff."

Mr. Foard offers an amendment as a substitute for Mr. McCorkle's amendment, to the same effect, but in different language, which is ruled out by the Speaker.

Mr. McCorkle's amendment is put to a vote and rejected.

Mr. Christmas moves to amend by inserting after the words "twenty cents per day:"

Provided, that the prisoners shall be furnished three meals per day,

which is rejected.

The bill then passes its second reading, under a call for the previous question, made by Mr. Richardson of Columbus.

Under a suspension of the rules the bill comes up on its third reading.

On the call of Mr. Norment, the ayes and nays are had, and the bill passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence in the amendments, by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Barringer, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Carson Chadwick, Click, Cobb, Davis of Catawba, Davis of Haywood, Etheridge, Foard, Forbes, Fulcher, Hewett, Hines, Holt, Huffstetler, Johnson, Lindsay, Meares, Mebane, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Wheeler, York, and Young—45.

Nays—Messrs. Anderson, Battle, Bird, Blaisdell, Bryson, Cale, Christmas, Council, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Foy, Grant, Harrison, Henderson, Hobbs, Horton, Lowry, Melson, Newell, Norment, Pettipher, Reid of Macon, Reynolds, Scott, Waddell, White, and Wimberly—32.

Mr. Brown of Mecklenburg, from the committee on Internal Improvements, reports favorably on H. B. 477, a bill for the purpose of aiding in the construction of the Winston, Salem and Mooresville Railroad.

Mr. Amis, from the committee on Salaries and Fees, re-

ports favorably, with amendment, on H. B. 502, a bill concerning salaries and fees.

On motion of Mr. Amis, the rules are suspended and the bill is taken up and made special order for Monday, February 17th.

On motion of Mr. Richardson of Columbus, S. B. 156, H. B. 575, a bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873, is taken up and recommitted to the committee on Finance.

Leave of absence is granted to Mr. Burroughs until Tuesday.

On motion of Mr. Lindsay, the Calendar is placed at the disposal of the Speaker, but the order is subsequently reversed.

On motion of Mr. York, H. B. 211, a bill to incorporate the State University Railroad, is taken up.

The question recurs on the amendment offered by the committee on Internal Improvements to insert at the end of section 10, the following:

"That an estimate of the net value of the labor of the convicts shall be made by two commissioners, one to be appointed by the Governor and one by said railroad company, and the net value of such labor shall be a first lien in favor of the State on such railroad; and

Provided, that the number of convicts assigned to this railroad company shall be hereafter determined, but not to exceed the one hundred provided for in this act."

The amendment is accepted.

Mr. York offers the following amendment, which is accepted:

"Strike out the convicts from Chatham county."

Mr. Mebane offers the following amendment, which is also accepted:

"Strike out convicts from Alamance county."

Mr. Richardson of Columbus, offers the following amendment, which is accepted:

"*Provided*, that nothing in this charter shall be construed to exempt said railroad company from taxation."

Mr. Atkinson gave notice of an amendment.

On motion of Mr. Powers, the bill and amendments are recommitted to the committee on Internal Improvements.

On motion of Mr. Davis of Madison, H. B. 111, a bill to incorporate the Warm Springs Toll Bridge Company, is taken up and passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Bryson,

H. R. 157, S. R. 335, a resolution concerning the pay of pages and other employees of the General Assembly, is taken up.

The question is on concurrence in Senate amendments, and concurrence is had, and the resolution is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is received, transmitting

S. R. 436, a resolution in favor of the Raleigh National bank.

On motion of Mr. Foard the resolution is referred to the committee on Finance.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 348, a bill to organize and incorporate the Christian

Union, and asking the concurrence of the House therein, and it is referred to the committee on Propositions and Grievances.

On motion of Mr. Meares,

H. B. 393, a bill to authorize the commissioners of Brunswick county to submit to the people of that county the question of changing the county seat, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Battle, Berry, Bird, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Cale, Carter of Yancey, Carroll, Carson, Christmas, Click, Council, Davis of Catawba, Davis of Haywood, Deans, Dixon, Dunn, Ellison, Foard, Forbes, Foy, Fulcher, Gatling, Grant, Harrison, Hewett, Hines, Holt, Horton, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Venable, Wheeler, White, Woodhouse, York, and Young—70.

Nays—Messrs. Bizzell and Bryson—2.

On motion of Mr. Hines the rules are suspended and H. B. 523, a bill to authorize the commissioners of Sampson county to levy a special tax, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Armstrong, Barringer, Berry, Bizzell, Blalock, Bost, Brown of Mecklenburg, Bryson, Carter of Yancey, Carroll, Carson, Christmas, Click, Council, Davis of Catawba, Davis of Haywood, Dimsdale, Dunn, Ewing, Foard, Forbes, Foy, Fulcher, Grant, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Mebane, Melson, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Wheeler, York, and Young—56.

Nays—Messrs. Battle, Bird, Cale, Newell, Norment, Pettipher, Scott, and White.—8.

On motion of Mr. McCorkle,

H. B. 477, a bill to aid the Winston, Salem and Mooresville Railroad, is taken up.

Mr. Johnson offers the following amendment, which is adopted: "In section 2, amend by adding Jerusalem township, Davie county; in section 31, amend by adding Jerusalem township, ten thousand dollars."

The bill then passes the second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Atkinson, Barringer, Berry, Bingham, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Bruce, Bryson, Cale, Cartey of Yancey, Carroll, Carson, Chadwick, Christmas, Click, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foy, Fulcher, Grant, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Venable, Woodhouse, York, and Young—71.

Nays—Mr. Bird.

Under a suspension of the rules, the bill came up on its third reading, when,

On motion of Mr. McCorkle, it is referred to the committee on the Judiciary.

A message is received from the Senate, transmitting

S. B. 376, a bill to amend an act to create a finance committee in the several counties of the State, asking the concurrence of the House.

The bill is referred to the committee on Finance.

On motion of Mr. Gatling,

H. B. 522, a bill to authorize the commissioners of Chowan

county to levy a special tax, is taken up on its second reading.

Mr. Hobbs moves to lay on the table, and on that motion the ayes and nays are called, and the House refuses to table by the following vote:

Ayes—Messrs. Barringer, Battle, Bingham, Bird, Blaisdell, Blalock, Bruce, Bryson, Cale, Carson, Christmas, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Forbes, Foy, Harrison, Henderson, Hobbs, Horton, Lowry, Miller, Newell, Norment, Paxton, Reynolds, Ritchey, Scott, Venable, White, and Young—34.

Nays—Messrs. Amis, Angier, Armstrong, Atkinson, Berry, Bizzell, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Chadwick, Click, Cauncil, Davis of Catawba, Davis of Haywood, Foard, Fulcher, Gatling, Hines, Holt, Huffstetler, Johnson, Lewis, Meares, Mebane, Melson, McLean, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Smith, Wheeler, Woodhouse, and York—39.

The question recurring on the bill on its second reading, it passes by the following vote:

Ayes—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Berry, Bizzell, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Chadwick, Click, Council, Davis of Catawba, Davis of Haywood, Foard, Forbes, Fulcher, Gatling, Grant, Harrison, Hines, Holt, Huffstetler, Johnson, Leach, Lewis, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Wheeler, Woodhouse, York, and Young—48.

Nays—Messrs. Anderson, Battle, Bingham, Bird, Blaisdell, Blalock, Bruce, Bryson, Cale, Carson, Christmas, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foy, Henderson, Hewett, Hobbs, Horton, Lowry, Newell, Norment, Pettipher, Powers, Reynolds, Richardson of Wake, Scott, Waddell, and White—32.

On motion of Mr. Anderson,

H. B. 425, a bill to make the Tuckasiege river, in Jackson county, a lawful fence, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Davis of Haywood,

H. B. 560, a bill legalizing Iron Duff township, Haywood county, is taken up.

Mr. Davis of Haywood, offers the following amendment, which is adopted:

"That the permanent place of voting in said township shall be at Ferguson's Camp Ground."

The bill then passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Hewett,

S. B. 376, bill to amend the act creating a finance committee in the several counties in the State, is withdrawn from the committee on Finance and put on its readings.

Mr. Norment moves to amend by inserting Robeson county, and the amendment is accepted.

The bill then passes its several readings, and the amendment ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Berry,

H. B. 494, a bill to prevent the felling of timber in Silver Creek, Burke county, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Paxton, H. B. 517, a bill to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail, is taken up, which passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Bost,

Brown of Mecklenburg, Cale, Carter of Yancey, Christmas, Click, Council, Davis of Haywood, Deans, Dimsdale, Dunn, Ellison, Ewing, Foard, Forbes, Gatling, Grant, Harrison, Henderson, Hewett, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Meares, Melson, Miller, Moore, McLean, Newell, Oliver, Orchard, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Wheeler, White, Woodhouse, York, and Young.—67.

Nays—Mr. Norment—1.

On motion of Mr. Davis of Catawba, the House adjourns until Monday morning at 10 o'clock.

THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, Feb. 17, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Vaughan, Speaker *pro tem.*, and is opened with prayer by the Rev. Dr. Marshal of the city.

The Journal of Saturday is partially read, and stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on the election of Justices of the Peace:

By Mr. Woodhouse, a petition of citizens of Crawford township, Currituck county, asking the appointment of B. F. Taylor a justice of the peace for said township; and

By the same, a petition from the same township, asking the appointment of J. L. Pitts as a justice of the peace.

The following to the committee on Agriculture:

By Mr. Woodhouse, a petition of citizens of Crawford township, Currituck county, asking that no change be made in the stock law; and

By the same, from citizens of the same township, asking for a change in the stock law.

And the following to the committee on Propositions and Grievances:

By Mr. Johnson, a petition from citizens of Halifax county, asking for the prohibition of the sale of spirituous liquors within three miles of certain churches in said county.

REPORTS OF COMMITTEES.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 111, a bill to be entitled an act to incorporate the Warm Spring's Toll Bridge Company.

H. B. 560, a bill to be entitled an act to legalize Iron Duff Township, in the county of Haywood.

H. B. 494, a bill to be entitled an act to prevent the felling of timber in Silver Creek, in Burke county.

H. B. 245, a bill to be entitled an act requiring town and city collectors of taxes and fines to make monthly reports.

H. B. 264, a bill to be entitled an act to incorporate the American Gold Company of North Carolina.

H. B. 265, a bill to be entitled an act to incorporate the Standard Gold Company of North Carolina.

H. B. 425, a bill to be entitled an act to make the Tuckasiege river in Jackson county, a lawful fence.

H. B. 621, a bill to be entitled an act to prevent tramps from infesting and depredating upon citizens of this State.

H. B. 518, a bill to be entitled an act for a stock law in Iredell county.

Engrossed amendments to

S. B. 376, H. B. 631, a bill to be entitled an act to amend an act to create a Finance Committee in the several counties of this State.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution repealing a resolution ratified the 26th of January, 1877, and thereby reviving the reward for M. S. Littlefield, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Council, a bill to provide for the service of process in civil actions, which is referred to the committee on the Judiciary.

By Mr. Anderson, a bill to regulate the control and management of roads in Clay, Cherokee, Graham, Macon, Swain and Jackson counties, which is referred to the committee on Railroads, Post Roads and Turnpikes.

By Mr. Huffstetler, a bill to amend section 24, chapter 156, laws of 1876–'77;

By Mr. Amis, a bill to authorize Granville county to fund its debt; both of which are referred to the committee on Finance.

The following bills are referred to the committee on Corporations:

By Mr. Orchard, a bill to incorporate Zion Wesley Institute, Cabarrus county;

By Mr. Orchard, a bill to incorporate Zion Hill Cemetery Company, Concord, N. C.; and

By Mr. Carter of Yancey, a bill to incorporate Yancey County High School.

By Mr. Berry, a bill to procure the better drainage of the

bottom lands on Silver creek, Burke county, which is referred to the committee on Counties, Cities, Towns and Townships.

The following bills are referred to the committee on Propositions and Grievances:

By Mr. Oliver, a bill to reimburse Robeson county for maintaining Owen Lowrie, a lunatic;

By Mr. Hewitt, a bill to prevent the use of drags in New river, Onslow county, and for other purposes; and

By Mr. Brown of Mecklenburg, a bill to amend chapter 106, laws of 1876–'77, in regard to the speedy completion of the Western North Carolina Railroad, &c., which is referred to the committee on Internal Improvements.

By Mr. Bruce, a bill to prohibit the sale of spiritous liquors within two miles of Brasstown church, Cherokee county.

The morning hour having expired,

On motion of Mr. Paxton,

H. B. 517, a bill to authorize the commissioners of Transylvania county to build a court house and jail, is put on its third reading and passes, and,

On motion of Mr. Paxton, is ordered to be transmitted to the Senate without engrossment; and it is so transmitted.

The following is the vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Click, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Ewing, Forbes, Foy, Fulcher, Grant, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Lewis, Lowry, Meares, Melson, Miller, Moore, Oliver, Orchard, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Turner, Venable, Waddell, Wheeler, White, Woodhouse, York and Young—67.

Nays—Mr. Norment—1.

On motion of Mr. Hines,

H. B. 523, a bill to authorize the commissioners of Sampson county to levy a special tax, is put on its third reading by the following vote, and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Cale, Carter of Yancey, Carroll, Carson, Christmas, Click, Council, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, Ewing, Foy, Fulcher, Grant, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Meares, Melson, Miller, Moore, Oliver, Orchard, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Venable, Wheeler, White, Woodhouse, York, and Young—61.

Nays—Messrs. Norment and Waddell—2.

On motion of Mr. Amis,

H. B. 563, a bill to secure a better condition of the public roads is ordered to be made the special order on to-morrow at 12 o'clock.

On motion of Mr. Meares,

H. B. 393, a bill to authorize the commissioners of Brunswick county to submit to the people of that county the question of changing the county site, is put on its third reading and passes by the following vote, and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Cale, Carter of Yancey, Carroll, Carson, Christmas, Click, Cobb, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, Ewing, Foy, Fulcher, Grant, Henderson, Hobbs, Horton, Huffstetler, Johnson, Leach, Lewis Lindsay, Lowry, Meares, Melson, Miller, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Reid of Macon, Rey-

nolds, Ritchey, Scott, Venable, Waddell, Wheeler, White, York, and Young.—61.

Nays.—None.

On motion of Mr. Scott,

H. B. 331, a bill in regard to public wharves and depots, is put on its several readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Blalock,

H. B. 564, a bill to allow the commissioners of Mitchell county to levy a special tax, is put on its second reading, and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Council, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, Ewing, Forbes, Foy, Fulcher, Gatling, Grant, Harrison, Henderson, Hewett, Hines, Hobbs, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Meares, Melson, Miller, Moore, Oliver, Orchard, Paxton, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Wheeler, White, York, and Young--63.

Nays—Messrs. Christmas, Norment, and Waddell—3.

On motion of Mr. Davis of Haywood,

H. B. 492, a bill to empower the commissioners of Haywood county to levy a special tax, is put on its third reading, and passes by the following vote; and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Click, Cobb, Council, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, Ewing, Forbes, Foy, Fulcher, Gatling, Grant, Harrison, Henderson, Hines, Hobbs, Huffstetler, Johnson, Lewis, Lindsay, Lowry, Meares, Melson, Miller, Moore,

Oliver, Orchard, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Venable, Waddell, Wheeler, White, Woodhouse, York, and Young—65.

Nays—None.

On motion of Mr. Lindsay,

H. B. 520, a bill to create a municipal board of record for each county in the State, was taken from the Calendar and ordered to be printed.

On motion of Mr. Reid of McDowell,

H. B. 304, a bill for the drainage of lands on Muddy creek, in McDowell county, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Lowry,

H. B. 448, a bill concerning the collection of taxes in Forsythe county, is taken up. The amendments of the committee are adopted; and as amended the bill passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Powers,

H. B. 423, a bill to incorporate the trustees of Brooks' Chapel Camp Ground, is taken up on its several readings. The amendments proposed by the committee are adopted and as amended the bill passes, and is ordered to be engrossed and sent to the Senate for concurrence.

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate refuses to concur in the House amendments to

S. B. 61, a bill to amend section 40, chapter 105, of Battle's Revisal, regulating the fees of jailers, and asking a committee of conference; and also that the Senate had concurred in the House amendments to

S. B. 376, a bill to amend an act to create a finance committee for the several counties of the State, and had ordered the same to be engrossed for ratification.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. R. 541, a resolution postponing the day for the election of justices of the peace; and

S. B. 527, a bill in relation to the staff of the Governor.

S. B. 527 is read the first time in this House, and referred to the committee on Military Affairs.

On motion of Mr. Lewis, the House concurs in the proposition of the Senate, contained in S. R. 541, and a message is transmitted to the Senate informing that body of the action of this House.

A MESSAGE FROM THE SENATE

is announced, proposing to the House to adjourn at once, in respect to the memory of the Hon. J. A. Engelhard, late Secretary of State.

The proposition of the Senate is concurred in, and a message is transmitted to the Senate informing that body of the action of the House.

Mr. Atkinson moves that the House unite with the Senate and join the funeral procession of the deceased at the south gate of the Capitol square. The motion is adopted; and on his further motion, the House stands adjourned until half-past 7 o'clock this evening.

Evening Session.

Monday, Feb. 17th, 1879.

The House meets at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 161, a bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, and

S. R. 503, a resolution in regard to adjournment.

They are read the first time in this House, and

S. B. 161 is referred to the committee on Agriculture; and

S. R. 503 takes its place on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 131, a substitute for H. B. 32, a bill to abolish the Geological Survey.

Mr. Carter of Buncombe, submits a report from the Judiciary Committee on S. B. 84, a bill to require the prosecutor to pay the costs in criminal proceedings in certain cases; and on motion of the same the bill is put on its several readings and passes, and is ordered to be enrolled for ratification.

Mr. Foard moves to suspend the rules to take up S. B. 131, a substitute for H. B. 31.

Mr. Atkinson moves to refer the bill to the committee on Propositions and Grievances, but withdrew it, and sends forward the following amendment:

"*Provided*, that the operations of the Agricultural Department and Geological Survey are suspended in all their operations for the term of two years; and the fund derived from the tax on fertilizers and all other funds coming into either department shall be turned over to the general fund of the State."

On the passage of the bill Mr. Foard called the previous question; and on a division, the call is not sustained.

Mr. Waddell rose to a question of personal privilege in regard to remarks made by Mr. Blocker in course of discussion.

The question is then on the amendment of Mr. Atkinson.

Mr. Davis of Catawba, called the ayes and nays. The call is sustained, and the amendment is adopted by the following vote:

Ayes—Messrs. Atkinson, Barringer, Battle, Berry, Bird, Bizzell, Blaisdell, Bonner, Bruce, Cale, Carson, Christmas, Clarke, Dimsdale, Ewing, Ferrell, Forbes, Foster, Foy, Harrison, Henderson, Hewett, Hobbs, Holt, Huffstetler, Leach, Leatherwood, Lindsay, Lowry, Mebane, Miller, McLean, Newell, Norment, Paxton, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Scott, Smith, Turner, Venable, Woodhouse, York, and Young—47.

Nays—Messrs. Amis, Anderson, Bingham, Blocker, Bost, Buchan, Carter of Buncombe, Carter of Yancey, Carroll, Click, Cobb, Davis of Catawba, Davis of Haywood, Deans, Dixon, Dunn, English, Foard, Gatling, Grant, Hines, Johnson, Lewis, Lutterloh, Meares, Moore, Oliver, Orchard, Powers, Rawley, Richardson of Columbus, Ritchey, Vaughan, Waddell, and Wheeler—35.

The question is then on the passage of the bill on its third reading.

Mr. Reid of Macon, moves to strike out the amendment of Mr. Atkinson previously adopted; and the motion to strike out prevails.

Mr. Norment offers the following amendment:

"*Provided*, that the expenses of both the departments shall not exceed the sum of fifty dollars per annum."

The question is put on the amendment, and on a division,

no quorum votes. The question is again put, and it is rejected, ayes 19, nays 49.

The question is then put on the passage of the bill on its third reading, and it passes and is ordered to be enrolled for ratification.

Mr. Foard moves to reconsider the vote by which the bill passes, and lay that motion on the table, and the motion being put, the House refuses to table.

The following is announced as the committee of Conference on the part of the House on S. B. 61, H. B. 144, a bill to regulate the fees of jailers:

Messrs. Bost, Lewis, Richardson of Columbus, Harrison and Lowry.

And on motion of Mr. Norment, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Feb. 18th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is read, and approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Paxton, a petition from sundry citizens of Transylvania county against a prohibitory law;

By the same, from the same, asking for a prohibitory law;

By Mr. Deans, a petition of citizens of Wayne county asking for the prohibition of the sale of spirituous liquors within two and a half miles of Nahunta Baptist Church, in Saulston township, in said county; and

By Mr. Lindsay, a petition of citizens of Rockingham county, asking for a prohibitory law for the town of Reidsville, in said county.

The following to the committee on the Election of Justices of the Peace:

By Mr. English, a petition from citizens of Pleasant Grove, Randolph county, asking the appointment of H. L. Moffett as a justice of the peace;

By Mr. Carter of Warren, a petition from citizens of Warren county, asking the appointment of Henry M. Williamson as a justice of the peace for Warrenton township.

The following to the committee on Agriculture:

By Mr. Covington, a petition from sundry citizens of Warren county, asking the passage of the fence law;

By Mr. Reynolds, a petition of citizens of Halifax county, against the "no fence law;"

By Mr. Harrison, a petition of certain citizens of Caswell county, against the enactment of a "no fence law;" and

By Mr. Lewis, a petition from citizens of Whitakers township, Nash county, praying the passage of a "fence law."

REPORTS OF COMMITTEES.

Mr. Reid of McDowell, from the committee on Counties, Cities, &c., reports favorably on

H. B. 641, a bill to procure the better drainage of the bottom lands on Silver creek, Burke county; on

H. B. 595, a bill to create a new township out of a portion

of Waynesville and Beaver Dam townships, Haywood county; and on

S. B. 359, H. B. 602, a bill to change the names of certain townships in Pender county.

Mr. Leatherwood, from the committee on Railroads, Post-roads, &c., reports favorably, with amendments, on

H. B. 635, a bill to regulate the control and management of roads in Clay, Cherokee, Graham, Macon, Swain and Jackson counties.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

S. B. 156, H. B. 575, a bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873; and favorably, with amendment, on

H. B. 617, a bill to ascertain the indebtedness of Madison county; and unfavorably on

H. B. 686, a bill to amend section 24, chapter 156, laws of 1876–'77.

Mr. Carter of Buncombe, from the committee on the Judicary, reports favorably, with amendment, on

H. B. 148, a bill for the more speedy trial of criminals.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports favorably on

H. B. 241, S. B. 394, a bill for the benefit of the Winston, Salem and Mooresville Railroad.

Mr. Bost, from the committee on Propositions and Grievances, reports favorably on

H. B. 356, a bill to incorporate the Methodist and Presbyterian churches in Lexington, Davidson county; on

H. B. 597, a bill to provide fund for the payment of jurors in Edgecombe county; on

H. B. 607, a bill to amend chapter 46, section 38, and subsection 7, private laws of 1871–'72; on

S. B. 198, H. B. 601, a bill to run a dividing line between the counties of Wayne and Greene; on

S. B. 348, H. B. 632, a bill to organize and incorporate the Christian Union; on

H. B. 643, a bill to prevent the use of drags in New river, Onslow county; and unfavorably on

H. R. 162, a resolution in favor of Stokes county for the maintenance of lunatics outside the asylum; on

H. B. 605, a bill to regulate public sales; on

H. B. 642, a bill to reimburse Robeson county for maintaining Owen Lowrie, a lunatic; and recommending the reference of

H. B. 604, a bill to amend section 18, chapter 275, laws of 1876–'77, in regard to elections, to the committee on Propositions and Grievances.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 583, a bill to incorporate Six Runs Land Drainage Company; on

H. B. 526, a bill to incorporate Smith's Bridge High School Joint Stock Company; on

H. B. 567, a bill to amend section 7, chapter 75, laws of 1825, in regard to the better government of the town of Wadesboro; on

H. B. 566, a bill to incorporate Yellow Mountain Church, Mitchell county; on

H. B. 527, a bill to amend the acts incorporating the town of Kenansville, Duplin county; on

H. B. 640, a bill to incorporate Yancey county High School;

H. B. 618, a bill to incorporate the town of Mount Holly, Gaston county;

H. B. 639, a bill to incorporate Zion Hill Cemetery Company, Concord, N. C.; on

H. B. 638, a bill to incorporate Zion Wesley Institute, Cabarrus county;

And unfavorably on

H. B. 525, a bill to incorporate the town of Lowell, Gaston county;

And recommending the reference of H. B. —, a bill authorizing the mayor and commissioners of Elizabeth City to have the principal streets of the town paved and lighted, to the committee on the Judiciary:

Also, sundry petitions to the committee on Propositions and Grievances.

Mr. York, from the committee on Insane Asylum, reports favorably on

S. B. 201, H. B. 342, a bill to repeal section 29, chapter 6, Battle's Revisal.

Subsequently, by consent,

Mr. Richardson of Columbus, from the committee on Finance, reports on

H. B. 322, a bill to repeal chapter 160, laws of 1873-'74, recommending the adoption of an accompanying substitute therefor.

Mr. Clarke, from the commmittee on Internal Improvements, reports on

H. B. 98, a bill to allow the county commissioners of Craven county to work persons sentenced to the penitentiary for one year on county works, recommending the adoption of an accompanying substitute.

Mr. ————, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 492, a bill to be entitled an act to empower the commissioners of Haywood county lo build a court house.

H. B. 304, a bill to be entitled an act for the drainage of lands on Muddy Creek, in McDowell county.

H. B. 448, a bill to be entitled an act respecting the collecting of railroad taxes in Forsythe county.

H. B. 423, a bill to be entitled an act to incorporate the trustees of Brooks' Chapel Camp Ground, in Cleaveland county.

H. B. 523, a bill to be entitled an act to authorize the commissioners of Sampson county to levy a special tax.

H. B. 593, a bill to be entitled an act to authorize the commissioners of Brunswick county to submit to the people of the county the question of changing the court house.

H. B 331, a bill to be entitled an act in regard to public wharves and depots.

INTRODUCTION OF RESOLUTIONS.

By Mr. White, a resolution requesting our Representatives in Congress to ask for an appropriation to establish an University in the Second Congressional District, in the State of North Carolina, for the colored race;

By Mr. Reynolds, a resolution looking after the State's interest in the Roanoke Navigation Company;

By Mr. Mebane, a resolution to have the disbursement account of the Department of Agriculture printed for information; and

By Mr. Vaughan, a resolution in regard to the meetings of this House; all of which are assigned to the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and take their place on the Calendar:

By Mr. York, a bill to construct a public road from Union church, Alleghany county, to Bush Hill, Wilkes county;

By Mr. Rawley, a bill to amend chapter 202, laws of 1868–'69;

By Mr. Vaughan, a bill to extend the time for enterers of vacant lands to obtain grants from the State;

By Mr. Atkinson, a bill to amend chapter 17, section 11, Battle's Revisal; and

By Mr. Atkinson, a bill to educate the poor children of North Carolina.

By Mr. Paxton, a bill to prohibit the sale of spirituous liquors within three miles of the church in Brevard, Transylvania county;

By Mr. Foy, a bill to prevent the sale of spirituous liquor in three miles of Lee's Methodist church, Jones county; and

By Mr. Jones, a bill to prohibit the sale of liquor within one mile of the Methodist and Lutheran churches at Lovelady, Caldwell county; all of which are referred to the committee on Propositions and Grievances.

By Mr. Hines, a bill to protect bondsmen on guardian bonds when the same are renewed;

By Mr. Bernard, a bill to prohibit the admission of testimony of the party interested, or assignee in suits for debts contracted prior to April 23d, 1868; and

By Mr. Jones, a bill to change the line between the counties of Alexander and Caldwell; all of which are referred to the committee on the Judiciary.

By Mr. Scott, a bill in relation to keeping up public roads, bridges and ferries, which is referred to the committee on Public Roads.

On motion of Mr. Ellison,

H. B. 417, a bill to provide for the re-assessment of real property for taxation in Wake county, is taken from the Calendar, and referred to the committee on Finance.

On motion of Mr. Blocker, the report of the committee in the case of B. D. Brown, member of the House from Yadkin, is taken up.

On motion of Mr. Covington, the present consideration of the report is postponed; and on his further motion, it is made the special order for Thursday, at 11 o'clock.

On motion of Mr. York,

S. B. 201, a bill to repeal section 29, chapter 6, Battle's Revisal, is taken up on its several readings, and is ordered to be enrolled for ratification.

On motion of Mr. Carter of Buncombe,

S. B. 30, a bill in relation to warrants on bastardy, is taken up.

The amendments of the committee are adopted; and, as amended, the bill passes its several readings, and is ordered to be sent to the Senate with engrossed amendments.

On motion of Mr. Brown of Mecklenburg,

S. B. 156, a bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873, is put on its readings and passes, and is ordered to be enrolled for ratification.

On motion of Mr. Blaisdell, the Calendar is placed at the disposal of the Speaker; but the immediate operation of the motion is suspended to admit the introduction of a

Resolution offered by Mr. Mebane, in relation to the statement of the expenditures of the State Agricultural Department.

The resolution is put on its adoption, and, on motion, the preamble is stricken out.

On motion of Mr. Turner, "five hundred" is stricken out, and "one thousand" inserted.

And, as amended, the resolution is adopted and ordered to be printed.

The motion of Mr. Blaisdell is renewed and adopted.

Mr. Norment sends forward a list of nominations for justices of the peace.

THE CALENDAR IS TAKEN UP.

S. B. 23, a bill for draining and damming wet lands, is put on its several readings and passes, and is ordered to be enrolled for ratification.

Mr. Vaughan, by consent, introduces a resolution in regard to the meetings of this House.

Mr. Covington offers an amendment to the effect that Tuesday and Thursday nights shall be devoted to the con-

sideration of bills of a private and local nature. The amendment is adopted.

Mr. Norment moves to lay the resolution on the table,

Upon which motion Mr. Vaughan demands the ayes and nays. The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Bird, Blaisdell, Cale, Christmas, Cooke, Council, Davis of Haywood, Deans, Dimsdale, Ferrell, Foy, Gatling, Henderson, Horton, Jones, Johnson, Newell, Venable, Waddell, Wimberly, and Woodhouse—21.

Nays—Messrs. Amis, Anderson, Atkinson, Barringer, Battle, Bernard, Berry, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Click, Covington, Davis of Catawba, Dixon, Dunn, Ellison, English, Ewing, Foard, Forbes, Foster, Fulcher, Grant, Harrison, Hewett, Hines, Hobbs, Holt, Huffstetler, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Wheeler, White, Wynne, York, and Young—73.

And the question recurring on the passage of the resolution it is adopted.

Leave of absence is granted to Mr. Jones of Caldwell, for Monday, Thursday and Saturday nights.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 396, a bill to ascertain and audit the debts of Cleaveland county;

S. B. 361, a bill to change the limits of the town of Creswell, in the county of Washington; and

S. B. 463, a bill to allow the Bank of Greensboro farther time to wind up its business.

They are read the first time in this House, and

S. B. 361 is referred to the committee on Cities, Towns, &c.

S. B. 396 to the committee on Finance; and

S. B. 463 to the committee on the Judiciary.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 256, a bill to require enterers of land in North Carolina to give notice to adjoining owners;

S. B. 483, a bill to incorporate the North Carolina Chemical Works; and

S. B. 485, a bill to change the name of Bull-doze township, in Greene county, to Bull-head township.

They are read the first time in this House; and

S. B. 256 is referred to the Judiciary Committee.

S. B. 483 to the committee on Corporations; and

S. B. 485 to the committee on Cities, Towns, &c.

THE CALENDAR

is resumed.

S. R. 503, a resolution in regard to adjournment, is put on its passage and adopted, and is ordered to be enrolled for ratification.

THE SPECIAL ORDER,

H. B. 563, a bill to secure the better condition of public roads in Granville county, is announced.

Mr. Ellison moves to amend by providing:

"That no man shall be required to work on the road more than three days in the year."

Mr. Ewing moves to insert "four days" instead of "three days," and the amendment is accepted.

On the adoption of the amendment as amended, Mr. Clarke demanded the ayes and nays. The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Battle, Blaisdell, Blocker, Cale, Carter of Warren, Christmas, Clarke, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Horton, Newell, Norment, Pettipher, Reynolds, Scott, Waddell, Wimberly, and Wynne —24.

Nays.—Messrs. Amis, Anderson, Atkinson, Barringer, Bernard, Berry Bingham, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cooke, Council, Covington, Davis of Haywood, Deans, Dimsdale, English, Foard, Foster, Fulcher, Gatling, Grant, Harrison, Hewett, Hines, Holt, Huffstetler, Johnson, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, White, Woodhouse, York, and Young—65.

The amendment offered by Mr. Burroughs "to strike out "fifty" in line -- and insert "forty-five;" and in line — to strike out "twenty" and insert "sixteen" is accepted, and the question is then on the bill as amended, and the bill passes its second reading and goes to its third, reading upon which Mr. Clarke demands the ayes and nays. The call is not sustained, and the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

The Speaker announces that bills named as special orders which have been displaced from their regular order, will be replaced on the Calendar.

THE CALENDAR IS RESUMED.

H. B. 341, a bill to authorize the commissioners of Lenoir county to levy a special tax, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Barringer, Battle, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Buchan, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Click, Deans, Dimsdale, Dunn, Ellison, English, Ewing, Ferrell, Foard, Foster, Foy, Fulcher, Gatling, Grant, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Newell, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—75.

Nay—Mr. Norment—1.

H. B. 522, a bill to authorize the commissioners of Chowan county to levy a special tax, is put on its third reading.

Mr. Hobbs moves to amend by inserting:

"*Provided*, the same be submitted to the qualified voters of said county."

On the passage of the bill Mr. Gatling calls the previous question. The call is sustained and the main question ordered.

The question is upon the amendment of Mr. Hobbs, upon the adoption of which Mr. Norment demands the ayes and nays. The call is sustained and the amendment is rejected by the following vote:

Ayes—Messrs. Battle, Bingham, Bird, Blaisdell, Blalock, Blocker, Bruce, Burroughs, Cale, Carter of Warren, Christmas, Clarke, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Harrison, Henderson, Hobbs, Horton, Lindsay, Lowry, Lutterloh, Miller, Newell, Norment, Pettipher, Powers, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne—40.

Nays—Messrs. Amis, Atkinson, Barringer, Bernard, Bizzell, Bonner, Brown Mecklenburg, Buchan, Carroll, Carson, Click, Council, Covington, Davis of Catawba, Davis of Haywood, English, Foard, Forbes, Foster, Gatling, Grant, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Leatherwood, Lewis, Meares, Mebane, Melson, Moore, McCorkle, Oliver, Orchard, Paxton, Rawley, Richardson of Columbus, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—46.

And the bill is then put on its third reading and passes by the following vote, and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Barringer, Bernard, Bizzell, Bonner, Bost, Brown of Mecklenburg, Buchan, Carroll, Carson, Chadwick, Click, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, English, Foard, Forbes, Foster, Gatling, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Leatherwood, Lewis, Lindsay, Meares, Mebane, Melson, Moore, McCorkle, Oliver, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Smith, Taylor, Wheeler, Woodhouse, York, and Young—50.

Nays—Messrs. Battle, Bingham, Bird, Blaisdell, Blalock, Bruce, Cale, Carter of Warren, Christmas, Clarke, Cooke, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Harrison, Henderson, Hobbs Horton, Lowry, Lutterloh, Miller, Newell, Norment, Pettipher, Powers, Reynolds, Scott, Venable, Waddell, White, Wimberly, and Wynne—38.

Mr. Davis of Catawba, moves that Col. Polk, Commis-

sioner of Agriculture, be invited to address this House to-night.

Mr. Cooke moves as an amendment that when this House adjourns to-day it adjourns until to-morrow morning at 10 o'clock; and the amendment is adopted.

THE CALENDAR IS RESUMED, AND

H. B. 328, a bill to punish more effectually the crime of horse stealing, is put on its readings and passes; and on motion of Mr. Covington is transmitted to the Senate without engrossment.

H. B. 564, a bill to authorize the commissioners of Mitchell county to levy a special tax, is put on its third reading.

Mr. Blalock offers the following amendment:

"At the end of last section as follows: By and with the consent of a majority of the justices of the peace of said county."

The amendment is adopted, and as amended the bill is put on its third reading and passes by the following vote, and is ordered to be engrossed and transmitted to the Senate for concurrence:

Ayes—Messrs. Anderson, Atkinson, Barringer, Battle, Bernard, Berry, Bizzell, Blaisdell, Blalock, Bost, Brown of Mecklenburg, Bruce, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Deans, Dixon, Dunn, Ellison, English, Ewing, Foard, Forbes, Foster, Fulcher, Gatling, Grant, Harrell, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Meares, Mebane, Miller, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson

of Wake, Ritchey, Smith, Taylor, Turner, Vaughan, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young—79.

Nays—Messrs. Harrison, Henderson, Norment, Scott, and Waddell—5.

H. B. 447, a bill to punish the entering of dwelling houses in the night time otherwise than by breaking, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 185, a bill to amend the laws of North Carolina in regard to crimes and punishments, is put on its readings.

The substitute is adopted, and the bill so substituted passes as

H. B. 674, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 627, a bill to amend chapter 285 of the laws of 1876-'77, concerning graded schools, is put on its passage and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 445, a bill to incorporate the Trustees of Riverside Camp Ground in the county of Ashe, and

H. B. 588, a bill to prevent the selling or giving away of spirituous liquors within three miles of East La Porte Academy in Jackson county, are put on their several readings and pass, and are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 524, a bill to authorize the county of Bladen to fund the floating debt, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Barringer, Battle, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, English, Ewing, Forbes, Foster, Foy, Fulcher, Gatling, Grant, Harrell, Har-

rison, Henderson, Hewett, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—78.

Nays—Messrs. Newell and Waddell—2.

H. B. 327, a bill concerning the official bond of sheriffs, is put on its readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

And on motion of Mr. Mebane, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Feb. 19, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Watkins of the city.

The Journal of yesterday is partially read and stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Ewing, a petition from citizens of Montgomery county, asking the passage of an act prohibiting persons

from other counties from bringing dogs into said county for the purpose of hunting;

By Mr. Bingham, a petition for the incorporation of Chapel Hill Church, in Davidson county;

By Mr. Angier, a petition from citizens of Orange county, to prevent the felling of timber in Eno river;

By Mr. Paxton, a petition from citizens of Transylvania county, asking the prohibition of the sale of liquors within three miles of Rocky Hill and Blue Ridge Baptist Churches, in said county;

By the same, a petition from citizens of the same county, for the same purpose;

By Mr. Horton, a petition of citizens of Hertford county, asking the passage of a law giving relief in the collection of debts; and

By Mr. Cobb, a petition from citizens of Lincoln county, against the prohibition of the sale of liquor as affects Palm Tree Church.

The following to the committee on the Election of Justices of the Peace:

By Mr. Mebane, a petition of citizens of Pleasant Grove trownship, Alamance county, asking the appointment of W. P. Barnwell as a magistrate for said county;

By Mr. Bingham, a petition from citizens of Randolph county, asking the appointment of Henry Craven as a magistrate for Columbia township, in said county;

By Mr. Reynolds, a petition from citizens of Butterwood township, Halifax county, asking the appointment of L. P. Sherin as a magistrate for said township;

By Mr. Ellison, a petition of Swift Creek township, Wake county, asking the appointment of W. E. Pearce, in said township;

By Mr. Davis of Madison, a petition of citizens of No. 10 township, in Madison county, asking the appointment of James E. Rice as a magistrate for said township; and

By Mr. Davis of Madison, a petition from citizens of No.

S township, Madison county, asking the appointment of L. A. B. Duckett as a magistrate for said township.

The following to the committee on Education:

By Mr. Covington, a petition from 500 citizens of Union county, praying that the no fence law do not pass.

By Mr. Johnson, a petition of 136 citizens of Jerusalem township, Davie county, asking the passage of a stock law; and

By Mr. Moring, on behalf of citizens of Pasquotank county, a memorial in opposition to the repeal of the fence law.

REPORTS OF COMMITTEES.

Mr. Atkinson, from the committee on Retrenchment and Reform, submits a report on the penitentiary, and its reference is recommended to the committee on Penal Institutions.

Mr. Carter of Buncombe, from the committee on the Judiciary, reports favorably, with amendment, on

S. B. 54, H. B. 303, a bill to define the criminal jurisdiction of justices of the peace.

Mr. York, from the joint committee on Insane Asylum, submits, on behalf of the House branch of said committee, a report.

Mr. Rawley, from the committee on Internal Improvements, reports favorably on

S. B. 138, H. B. 549, a bill to amend section 2, chapter 15, laws of 1876–'77, concerning the Cheraw and Salisbury Railroad; on

H. B. 422, a bill to establish the board of Newbern harbor commissioners; on

H. B. 353, a bill to aid the completion of the Seaboard and Raleigh Railroad by convict labor; on

H. B. 468, a bill to amend an act incorporating the North Carolina Border Railroad Company; on

S. B. 128, H. B. 473, a bill to incorporate the Bennettsville Railroad Company;

Also, favorably, with amendment, on

H. B. 385, a bill to amend chapter 87, laws of 1866–'67, establishing a chamber of commerce for Newbern.

Mr. Davis of Catawba, from the committee on Agriculture, &c., reports unfavorably on

H. B. 349, a bill to authorize justices of the peace and three disinterested persons to condemn the lands for the purpose of cutting canals and ditches; and on

H. B. 506, a bill for the benefit of sheep husbandry.

Mr. Blocker, from the committee on Agriculture, &c., reports favorably on

H. B. 628, a bill to amend the act to protect the agricultural interest in Oconeechee Neck, laws of 1876–'77, chapter 60; and unfavorably on

H. B. 582, a bill concerning dogs.

Mr. Huffstetler, from the committee on Agriculture, &c., reports favorably on

H. B. 615, a bill declaring Lower Little River, in Harnett and Cumberland counties, a lawful fence; and unfavorably on

H. B. 614, a bill to protect sheep raisers from loss by dogs and provide a compensation to owners for any such loss.

Mr. Brown of Mecklenburg, from the committee on State Debt, reports favorably on

H. B. 163, a bill to create a sinking fund.

Mr. Colwell, from the committee on Public Roads, reports favorably, with amendment, on

H. B. 158, a bill to amend chapter 104, Battle's Revisal, and to regulate the manner of laying off public roads; and unfavorably on

H. B. 388, a bill to provide for working all public roads by taxation; and on

H. B. 655, a bill in relation to keeping up public roads, bridges and ferries.

Mr. Jones, from the committee on Corporations, reports favorably, with amendment, on

H. B. 479, a bill to change the name of the county seat of Alleghany and incorporate the town of Gentry.

Mr. Leatherwood, from the committee on Railroads, Postroads, &c., reports unfavorably on

H. B. 590, a bill to aid in constructing public roads and other public works in the counties of Greene and Lenoir.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

S. B. 396, H. B. 668, a bill to ascertain and audit the debt of Cleaveland county.

Mr. Bernard, from the committee on Counties, Cities, &c., reports favorably on

H. B. 616, a bill to establish a new county by the name of Jarvis; on

S. B. 485, H. B. 672, a bill to change the name of Bull Doze township, Greene county, to Bull Head township; on

S. B. 361, H. B. 670, a bill to change the limits of the town of Creswell, Washington; and unfavorably on

H. B. 596, a bill to repeal an act to change the dividing line between the counties of Brunswick and Columbus; and on

H. B. 579, a bill to require the registration of births and deaths in the State, the committee report back no recommendation and leave the matter without prejudice.

Mr. Carter of Buncombe, from the committee on the Judiciary, reports favorably on

S. B. 366, H. B. 576, a bill to amend section 3, chapter 61, laws of 1871–'72; and unfavorably on

S. B. 33, H. B. 587, a bill to provide for holding terms of the superior court in certain cases; on

H. B. 305, a bill concerning the ratification of the laws of the present session of the General Assembly; on

H. B. 531, a bill to amend chapter 90, Battle's Revisal; and on

S. B. 359, H. B. 551, a bill to amend section 93, chapter 32, Battle's Revisal.

Subsequently, by consent, Mr. Rawley, from the committee on Internal Improvements, reports favorably, with amendment, on

H. B. 211, a bill to incorporate the State University Railroad.

Subsequently, by consent, Mr. Brown of Mecklenburg, reports favorably on

H. B. 354, a bill to canal Angola Bay in the counties of Duplin and Pender.

Messrs. Woodhouse and English, from the committee on Engrossed Bills, reported the following bills to have been correctly engrossed, and they were transmitted to the Senate for concurrence:

H. B. 327, a bill to be entitled an act concerning the official bonds to be given by sheriffs.

H. B. 445, a bill to be entitled an act to incorporate Riverside Camp Ground, in the county of Ashe.

H. B. 447, a bill to be entitled an act to punish the entering of dwelling houses in the night time, otherwise than by breaking.

H. B. 674, a bill to be entitled an act to amend the laws of North Carolina in relation to fines and punishment.

H. B. 564, a bill to be entitled an act to authorize the county commissioners of Mitchell county to levy a special tax.

H. B. 522, a bill to be entitled an act to authorize the county commissioners of Chowan county to levy a special tax.

H. B. 588, a bill to be entitled an act to prohibit the sale of spirituous liquors within three miles of East LaPorte Academy, in Jackson county.

H. B. 627, a bill to be entitled an act to amend chapter 285, laws of 1876–'77, concerning graded schools.

H. B. 563, a bill to be entitled an act to secure a better condition of the public roads in Granville county.

H. B. 341, a bill to be entitled an act to authorize the commissioners of Lenoir county to levy a special tax.

Engrossed amendments to

S. B. 60, H. B. 553, a bill to be entitled an act in relation to warrants on bastardy.

INTRODUCTION OF RESOLUTIONS.

By Mr. York, a resolution requiring the Secretary of State to issue a grant to J. T. Furgerson of Wilkes county;

By Mr. Turner, a resolution to recover the State's property and indict certain persons for spoliation of the State; both of which are placed on the Calendar.

By Mr. Covington, a resolution construing section 10, schedule B, of the machinery act, which is referred to the committee on Finance.

INTRODUCTION OF BILLS.

By Mr. Amis, a bill to amend section 5, article V, of the Constitution.

By Mr. Leach, a bill to relieve sheriffs in certain cases, and to prevent the sacrifice of property at execution sales; both of which are referred to the committee on the Judiciary.

The following bills are introduced and referred to the committee on Corporations:

By Mr. Leatherwood, a bill to incorporate the East La Porte Masonic Lodge, No. 358, in Jackson county;

By Mr. Angier, a bill to amend the charter of the town of Chapel Hill;

By Mr. Carter of Yancey, a bill to incorporate Bee Log Baptist church, Yancey county;

By Mr. Carter of Yancey, a bill to incorporate Bald Creek Baptist church, Yancey county; and

By Mr. Ewing, a bill to incorporate the town of Troy, Montgomery county.

The following bills are referred to the committee on Propositions and Grievances:

By Mr. Bingham, a bill to incorporate the Chapel Hill Methodist church;

By Mr. Angier, a bill to prevent the felling of timber and placing logs in the county of Orange;

By Mr. Lutterloh, a bill to amend the charter of Fayetteville; and

By Mr. Paxton, a bill to prohibit the sale of intoxicating liquors in three miles of Rocky Hill and Blue Ridge Baptist churches, Transylvania county.

By Mr. Clarke, a bill to allow the citizens of Craven county to make a footway near the railroad bridge of New Berne;

By Mr. York, a bill supplementary to the act farming out convicts in this State; both of which are referred to the committee on Railroads, Post-roads, &c.

By Mr. Foy, a bill to prevent the obstruction of fish up Trent river, which is referred to the committee on Fish Interest.

By Mr. Bernard, a bill to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad, which is referred to the committee on Internal Improvements.

By Mr. Colwell, a bill to regulate work on public roads;

By Mr. Colwell, a bill to provide additional labor for keeping up the public roads; and

By Mr. Cooke, a bill to provide for the repair of the public roads of the State; all of which are referred to the committee on Public Roads.

The following bills are introduced and placed on the Calendar:

By Mr. Mebane, a bill to prevent the running of trains and other work on the railroads within the bounds of this State on the Sabbath day;

By Mr. Henderson, a bill to repeal section 8, chapter 274, law of 1876–'77, in relation to the tax on fertilizers;

By Mr. Lockhart, a bill to provide for the collection of taxes against the property of any corporation or person in this State, or doing business in this State, whether the said corporation or party be in the hands of a receiver or not; and

By the committee on Education, a bill to authorize a history of North Carolina for use in the common schools.

By Mr. Council, a bill supplementary to acts authorizing the working of convicts, which is referred to the committee on Railroads, Post-roads, &c.

The morning hour having expired,

A MESSAGE FROM THE SENATE

is announced, informing the House that the Senate had appointed Messrs. Henderson, Everett and Hoyle as the Senate branch of the committee of Conference on S. B. 61, bill to amend section 40, chapter 105, Battle's Revisal, regulating the fees of jailers.

A MESSAGE FROM THE SENATE

is also received, transmitting

S. B. 469, a bill to authorize the commissioners of McDowell county to levy a special tax.

It is read the first time in this House and referred to the committee on Finance.

On motion of Mr. Click, the rules are suspended, and

H. B. 370, a bill to incorporate McKendree Chapel, in Iredell county, and to prohibit the sale of spirituous liquors within a half mile of the same, is taken up, and on motion of Mr. Click is laid on the table.

And on motion of the same,

H. B. 371, a bill to incorporate Morrows' Chapel, in Ire-

dell county, and to prohibit the sale of spirituous liquors within one-half mile of the same, is taken up, and on motion of Mr. Click is laid on the table.

LEAVE OF ABSENCE

is granted to Mr. Brown of Yadkin, from to-day until Friday next.

Mr. Rawley moves that the Calendar be placed at the disposal of the Speaker for the remainder of the day; and on a division, the motion prevails by a vote of 47 ayes, 27 nays.

Mr. Norment asks leave to withdraw from the committee on the Election of Justices of the Peace, for reasons satisfactory to the House; leave is granted, and the Speaker announces the appointment of Mr. Harrison to fill the vacancy.

The following gentlemen are announced as added to the committee on Public Roads: Messrs. Cooke, Reid of Macon, and Amis.

THE CALENDAR

is taken up, and

H. B. 28, a bill to repeal an act, section 1, of chapter 105, laws of 1876–'77, and insert an act in its stead, is taken up, and on motion of Mr. Bernard is laid on the table.

H. B. 57, a bill to entitle teachers of first grade to $2 per day, &c., on motion of Mr. Bingham is laid on the table.

H. B. 48, a bill to repeal the law providing for the maintenance of lunatics outside of the Insane Asylum, is taken up, and the question is on the substitute offered by the Committee.

Mr. Mebane offers the following amendment:

Strike out "$50," and insert "$5," as an amendment to the substitute.

Mr. Jones sends forward the following amendment:

"*Provided*, that nothing in this act shall be construed to effect claims now pending against the State for the support of lunatics by the counties since March 1st, 1876."

Mr. Foard sends forward the following amendment:

"Add to section 3, that no person heretofore adjudged to be a lunatic shall be entitled to any compensation hereafter, unless the provisions of this act shall be complied with in the Asylum."

The consideration of the bill is suspended for

THE SPECIAL ORDER,

H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State.

Mr. Carter of Buncombe, moves to suspend the consideration of the special order until the matter before the House is disposed of; and the motion prevails, and

H. B. 48 is discussed.

Mr. Cooke calls the previous question; but withholds the call for three minutes for discussion, and then renews the call, which is sustained, and the main question is ordered.

The question is on the amendment of Mr. Mebane, upon which

Mr. Clarke calls the ayes and nays. The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Anderson, Atkinson, Bizzell, Blocker, Bost, Bryson, Carter of Buncombe, Covington, Davis of Haywood, Dimsdale, Ewing, Grant, Leatherwood, Lindsay, Lutterloh, Mebane, Paxton, Richardson of Wake, and York—19.

Nays—Messrs. Amis, Angier, Ardrey, Barringer, Bateman,

Battle, Berry, Bingham, Bird, Blaisdell, Blalock, Bonner, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Carroll, Chadwick, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Lewis, Lockhart, Lowry, Meares, Melson, Miller, Moore, McCorkle, Newell, Norment, Oliver, Orchard, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, and Young—87.

The question is then on the substitute of the committee, which is adopted.

The amendments of Mr. Jones and Mr. Foard are accepted.

The following amendment offered by Mr. Richardson of Columbus, is accepted.

Insert a new section as follows:

"That the solicitor for the State shall represent the State in such inquisitions, and shall examine and cross examine witnesses; and for such service, the solicitor shall receive no compensation. And the judge of the superior court hearing the matter shall have power to set aside the finding of the jury, when, in his opinion, the finding of the jury is incorrect."

And the substitute as amended is put on its second reading and passes.

The bill without objection goes to its third reading.

Mr. Carter of Buncombe, offers the following amendment:

"Amend by adding to the end of section 1: *Provided, how-*

ever, that only the indigent insane shall be entitled to the benefit of this act."

Mr. Lindsay offers the following amendment:

"Amend by striking out "fifty" and inserting "twenty-five."

Mr. Scott offers the following amendment:

"The State of North Carolina shall pay no money for the maintenance of insane outside of the Asylum, except when said insane are confined in the poor-houses or jails of the various counties."

Mr. Foard offers the following as an amendment to the amendment of Mr. Carter of Buncombe:

"*Provided*, these restrictions are extended to those in the Asylum."

The question is put upon this amendment, and it is rejected.

The question then recurs on the amendment of Mr. Carter of Buncombe, upon the adoption of which Mr. Carter of Buncombe demands the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Amis, Anderson, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bizzell, Blocker, Bruce, Bryson, Buchan, Carter of Buncombe, Carter of Warren, Click, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Etheridge, Ewing, Forbes, Gatling, Grant, Harrell, Huffstetler, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lutterloh, Mebane, Melson, Newell, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Roberson,

Scott, Smith, Taylor, Turner, Waddell, White, Woodhouse, and York—53.

Nays—Messrs. Angier, Ardrey, Bingham, Bird, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Christmas, Clarke, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Dunn, Ellison, English, Ferrell, Foard, Foster, Foy, Harrison, Henderson, Hewett, Hines, Hobbs, Horton, Jones, Johnson, Lockhart, Lowry, Meares, Miller, Moore, Oliver, Orchard, Pettipher, Powers, Reynolds, Richardson of Columbus, Ritchey, Vaughan, Venable, Wheeler, Wimberly, Wynne, and Young—55.

On the passage of the bill on the third reading,

Mr. Cooke demands the ayes and nays.

The call is sustained, and the main question is ordered.

The question then recurs on the amendment of Mr. Lindsay; and the motion being put, the amendment is rejected.

The question is put on the amendment of Mr. Scott, and it is lost.

The following amendment offered by Mr. Turner, under notice previously given, is adopted:

"Any person receiving or taking any portion of this fund as a fee or reward shall be guilty of a misdemeanor, and upon conviction, shall be punished by fine and imprisonment at the discretion of the court."

And then the question is on the bill as amended, on the third reading, upon which

Mr. Carson calls the ayes and nays.

The call is not sustained, and the bill passes, and is ordered to be engrossed and sent to the Senate for concurrence.

A MESSAGE FROM THE SENATE

is announced, covering the report of the joint committee to

investigate the Western North Carolina Railroad, and the Western Insane Asylum, with a proposition to print.

On motion of Mr. Cobb, the proposition of the Senate is concurred in.

On motion of Mr. Amis,

H. B. 511, a bill to establish the county of Gilliam, is taken from the special order Calendar, and referred back to the committee reporting it.

Leave of absence is granted to Mr. McLean on account of sickness.

THE SPECIAL ORDER,

H. B. 164, a bill to change the Constitution in regard to the insane, &c., is resumed,

The question being on the motion to reconsider the vote by which the bill had previously failed to pass its second reading.

Mr. Clarke moves to lay the motion to reconsider on the table.

The House refuses to table the motion, and the bill is then put on its second reading, and passes by the following vote:

Ayes—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, English, Etheridge, Ewing, Foard, Forbes, Foster, Fulcher, Gatling, Grant, Harrell, Harrrison, Henderson, Hewett, Hines, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lutterloh, Meares, Mebane, Melson, Miller, Norment, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Rober-

son, Smith, Taylor, Turner, Vaughan, Wheeler, Woodhouse, York, and Young—80.

Nays—Messrs. Battle, Bird, Blaisdell, Bruce, Cale, Carter of Warren, Christmas, Clarke, Dunn, Ellison, Ferrell, Foy, Hobbs, Jones, Lowry, Newell, Pettipher, Reynolds, Richardson of Wake, Ritchey, Scott, Waddell, White, Wimberly, and Wynne—25.

Mr. Speaker Moring voting on a Constitutional question, records his vote in the affirmative.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 484, bill to incorporate the Chapel Hill Iron Mountain Company.

It is read the first time, and referred to the committee on Corporations.

The following announcement of the Committee to arrange the Calendar is made: Messrs. Davis of Catawba, Lockhart, Colwell, Bingham and Harrison.

H. B. 95, bill to allow the commissioners of Craven county to work persons sentenced to the penitentiary for one year on county works, is taken up. The substitute offered by the committee is adopted, and the bill so substituted, passes its several readings, and is ordered to be engrossed and transmitted to the Senate for concurrence.

S. B. 91, a bill to incorporate Brevard's Station, Gaston county, is taken up, but the House yields to a motion to adjourn, and the bill comes up to-night as unfinished business.

EVENING SESSION.

WEDNESDAY, Feb. 19th, 1879.

The House meets at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

Mr. Fulcher is relieved from the committee on the Fish Interest, and is replaced by Mr. Chadwick.

Mr. Lockhart, by consent, makes a report from the committee on Propositions and Grievances, on

H. B. 684, a bill to amend the charter of the town of Fayetteville, and to appoint a committee of Finance for said town.

THE UNFINISHED BUSINESS

of this morning's session is taken up, being

S. B. 91, a bill to incorporate Brevard's Station, in the county of Gaston.

The amendments of the committee are adopted, and the bill so amended passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Battle, Berry, Bingham, Bird, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Chadwick, Clarke, Click, Cobb, Colwell, Cooke, Council, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, English, Ewing, Ferrell, Foster, Foy, Fulcher, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Norment, Oliver, Orchard, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey,

Robeson, Taylor, Turner, Vaughan, Venable, White, York, and Young—84.

Nays—None.

On motion of Mr. Vaughan,

H. B. 158, a bill to amend chapter 104, of Battle's Revisal, to regulate the manner of laying out public roads, is taken up.

The amendments of the committee are adopted, and as amended the bill passes its second reading, and goes to its third reading.

Mr. Young moves to amend by adding the name of Rutherford county, which is accepted; and the bill as amended passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Atkinson,

S. B. 54, a bill to define the criminal jurisdiction of justices of the peace, is taken up.

On motion of Mr. Vaughan, the House goes into committee of the whole on the consideration of the bill, Mr. Vaughan in the chair.

The committee rises and reports that the committee report back the bill without recommendation.

The bill is again before the House.

The question is upon the amendments of the committee, and they are ordered to be put in their order.

The question is on the first amendment.

On the adoption of the amendments, Mr. Carter of Buncombe, demands the previous question. The call is sustained, and the main question is put.

Messrs. Lockhart, Brown of Mecklenburg, and Bost gave notice of amendments.

The question is on the first amendment offered by the committee, and it is adopted.

The question is then put on the second amendment, to which Mr. Brown of Mecklenburg, offers the following amendment: Strike out $25, and insert $50.

The amendment is accepted, and the second amendment as amended, is adopted.

Amendments 3, 4, 5 and 6 are successively adopted.

By consent of the House, an amendment omitted by the committee in making its report is admitted for consideration, and is adopted.

The question is now on an amendment of Mr. Cooke, submitted in committee of the whole, and now admitted; and the question being put it is rejected.

The question is on the following amendment offered by Mr. Turner:

Amend by adding: "Any justice of the peace may be impeached before a judge of the superior court for public drunkenness or corruption in office; the party or person impeaching to serve notice on the party to be impeached in writing twenty days before court, plainly and distinctly setting forth the cause of impeachment."

On this amendment Mr. Norment demands the ayes and nays.

The call is sustained, and the amendment is adopted by the following vote:

Ayes—Messrs. Amis, Ardrey, Barringer, Bateman, Battle, Bingham, Bird, Blalock, Buchan, Burroughs, Cale, Carter of Warren, Christmas, Clarke, Coob, Coffield, Colwell Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Melson, Miller, McCorkle, Newell, Norment, Oliver, Pettipher, Powers, Rawley, Reid of Macon, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Venable, Waddell, Wheeler, White, Wimberly, Wynne, York, and Young—78.

Nays—Messrs. Anderson, Bernard, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Carter of Buncombe, Carson, Davis of Haywood, Dimsdale, Ewing, Foard, Jones, Mebane, Moore, Orchard, Paxton, Reid of McDowell, and Woodhouse—21.

The question is on the following amendment of Mr. Lockhart:

"Strike out in section 1 the figures 102, the same referring to section 102, Battle's Revisal."

The question is then on the bill, as amended, on its second reading, and passes.

And on motion of Mr. Cooke, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Feb. 20th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Norman of the city.

The reading of the Journal of yesterday is dispensed with and the Journal stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Cities, Towns, Townships, &c.:

By Mr. Blalock, a petition of citizens of Yancey county, asking to be annexed to the county of Mitchell;

By Mr. Carter of Yancey, a petition of citizens of Yancey county, against such annexation:

By the same, a petition of the citizens of the same county, against the annexation of Dayton Bend to Mitchell county;

By Mr. Dimsdale, a petition of citizens of Polk county, asking for the removal of the county seat; and

By Mr. Covington, a petition from citizens of Union county, asking the extension of the corporate limits of the town of Monroe, in said county.

The following to the committee on Propositions and Grievances:

By Mr. Amis, a petition from the citizens of Granville county, asking the prohibition of the sale of ardent spirits near Tally Ho Church;

By Mr. Berry, a petition from citizens of Burke county, asking the prohibition of the sale of liquors within two miles of Bottle's Creek, in said county;

By Mr. Lewis, a petition of citizens of Nash county, asking the prohibition of the sale of liquors near the Methodist Church in Nashville, in said county;

By Mr. Brown of Mecklenburg, a petition from the ladies of Huntersville, in Mecklenburg county, for the prohibition of the manufacture and sale of intoxicating liquors within three miles of the town of Huntersville, in said county; and

By Mr. Ferrell, a petition praying that chapter 260, laws of 1876–'77, be so amended as to allow the sale of liquors outside of one and a-half miles of Ebenezer church, in said county.

The following to the committee on the Election of Justices of the Peace:

By Mr. Meares, a petition of citizens of Burke county, asking the appointment of J. C. Mooney as justice of the peace for said county;

By Mr. Davis of Madison, a petition of township No. 2,

Madison county, asking the appointment of J. S. Tweed as magistrate for said county;

By the same, a petition from citizens of township No. 3, Madison county, asking the appointment of Philip Buckner as a magistrate for said county;

By Mr. Ardrey, a petition from citizens of Mecklenburg county, asking the appointment of J. E. Selby as a justice of the peace for said county; and

By Mr. Foy, a petition of citizens of Jones county, asking the appointment of William Mattock as a justice of the peace for White Oak township, in said county.

And the following to the committee on Finance:

By Mr. Brown of Mecklenburg, a petition from the merchant tailors of this State, asking this General Assembly to amend schedule B, section 24, of the revenue bill, so as to enforce the payment of the drummers and license tax.

REPORTS OF COMMITTEES.

Mr. Atkinson, from the committee on the Judiciary, reports favorably on

H. B. 700, a bill to relieve sheriffs in certain cases, and to prevent the sacrifice of property at execution sales.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably, with amendment, on

H. B. 224, a bill to amend section 20, chapter 98, Battle's Revisal, and recommending the adoption of a substitute for

S. B. 203, H. B. 430, a bill to prevent the driving of cattle from South Carolina and other places into counties west of the Blue Ridge.

Mr. Richardson of Columbus, from the Finance Committee, reports on

H. B. 255, a bill for the relief of land owners whose lands have been sold to the State for taxes, recommending the adoption of an accompanying substitute.

Mr. Bernard, from the committee on Counties, Cities, &c., reports back

H. B. 511, a bill to establish Gilliam county, without recommendation or prejudice.

Mr. Hewett, from the committee on Claims, reports unfavorably on

H. B. 503, a bill to reimburse Harnett county for supporting her insane outside the lunatic asylum; on

H. R. 163, a resolution in favor of Caldwell county; and on

H. B. 504, a bill to reimburse Perquimans county.

Mr. Vaughan, from the committee on the Judiciary, reports favorably on

H. B. 584, a bill to amend chapter 87, sections 34, 35, 36 and 37, Battle's Revisal.

Mr. English, from the committee on Education, reports favorably on

H. B. 619, a bill to establish graded schools in No. 12 township, Cabarrus county.

Mr. York, from the committee on Fish Interest, reports favorably on

H. B. 612, a bill for the passage of fish up Neuse river and Swift and Middle creeks, Johnston county; on

H. B. 261, a bill to remove obstructions to the passage of fish and provide fish-ways; and unfavorably on

H. B. 507, a bill to amend chapter, 152, laws of 1871–'72, relating to fish interests in Black and South rivers, and on

H. B. 471, a bill to protect young fish in the waters of North Carolina.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 408, a bill to incorporate the town of Hickory, Catawba county; on

S. B. 484, H. B. 701, a bill to incorporate the Chapel Hill Iron Mountain Company; and on

S. B. 483, H. B. 671, a bill to incorporate the North Carolina Chemical Works.

The committee on Enrolled Bills reports as correctly enrolled:

An act to incorporate the Warrior Camp Ground, in Caldwell county;

An act to amend an act entitled an act to aid in the construction of the Chester and Lenoir, and the Caldwell and Watauga Narrow Guage Railroad, and for other purposes;

An act to prohibit the removal of cases except the ends of justice absolutely require it;

An act for the better protection of wild fowl in Carteret county;

An act to amend chapter sixty-five (65), sub-division eighteen, line five, in reference to leins on colts;

A resolution to provide for the employment of laborers in the two houses;

An act to amend the charter of the North Western North Carolina Railroad, and for the construction of a second division from the town of Winston and Salem, Forsythe county, up the Yadkin Valley, by Wilkesboro, to Patterson's factory, Caldwell county;

An act to incorporate the Love and Charity Society of Wilson Creek Academy, in the county of Caldwell;

An act to allow the commissioners of Caldwell county to levy a special tax;

An act to amend the charter of the town of Mooresville, in the county of Iredell;

An act to correct the erroneous numbering of a certain bond;

An act to require prosecutors to pay the cost in criminal proceedings in certain cases;

An act to create a finance committee in the several counties in the State;

An act to repeal sections fourteen and sixteen, chapter

2, Battle's Revisal, and provide for the reorganization of the Geological Bureau;

An act for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873;

An act for draining and damming low lands;

An act to repeal section 29, chapter 6, Battle's Revisal;

An act concerning streams that are used to propel machinery;

An act to continue in force an act to establish normal schools, and for other purposes;

An act to repeal chapter 206, laws of 1876–'77.

Mr. ———, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 158, a bill to be entitled an act to amend chapter 104 of Battle's Revisal in regard to the manner of laying off public roads.

H. B. 95, a bill to be entitled an act to allow the commissioners of Craven county to work prisoners sentenced to the penitentiary for one year on county works.

H. B. 48, a bill to be entitled an act to repeal the law for the sustenance of lunatics outside of the Insane Asylum.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner, a resolution concerning frauds;

By Mr. Hobbs, a resolution to appoint one-third of the magistrates in counties represented by Republicans from that party; and

By Mr. Turner, a resolution concerning frauds in the Southern Underwriters Association in Raleigh, all of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Turner, a bill concerning attorneys at law, &c., which is placed on the Calendar ;

By Mr. Clarke, a bill to prohibit the sale of poisonous liquors in the city of Newbern ;

By Mr. Grant, a bill to amend section 1, chapter 56, Battle's Revisal ;

By Mr. Bird, a bill to reimburse Henderson county on account of insane persons ;

By Mr. Lewis, a bill to prevent the sale of spirituous liquors within two miles of the Methodist church in the town of Nashville, in Nash county ;

By Mr. Ferrell, a bill to amend chapter 260, laws of 1876–'77 ; all of which are referred to the committee on Propositions and Grievances.

By Mr. Foy, a bill to provide for laying off a road from Quaker Bridge in Jones county, to a point near Tar Landing in Onslow county ; and

By Mr. Clarke, a bill concerning the working of roads in the State ; both of which are referred to the committee on Railroads, Postroads, &c.;

By Mr. Colwell, a bill to amend chapter 152, laws of 1871–'72, relating to destruction of fish in Black River and Six Runs in Sampson and other counties ; and

By Mr. Davis of Madison, a bill to protect fish in Sandy Run in the county of Madison ; both of which are referred to the committee on Fish Interest.

By Mr. Harrell, a bill for the relief of James F. Somer, former sheriff of Wilkes county, which is referred to the committee on Finance.

By Mr. Orchard, a bill to incorporate the Ætna Gold Company, of North Carolina ; and

By Mr. Orchard, a bill to incorporate the Globe Gold

Company; both of which are referred to the committee on Corporations.

By Mr. Dimsdale, a bill to provide for the removal of the county seat of Polk county; and

By Mr. Blalock, a bill to change the county line of Yancey and Mitchell counties; and

By Mr. Covington, a bill to enlarge and extend the corporate line of the town of Monroe, in the county of Union, and for other purposes, all of which are referred to the committee on Counties, Cities, Towns and Townships.

By Mr. English, a bill to provide for the support of the penitentiary for the years 1879–'80, which is referred to the committee on Penal Institutions.

By Mr. Clarke, a bill to consolidate the Atlantic and North Carolina Railroad, the North Carolina Railroad and the Western North Carolina Railroad Company, and for other purposes; and

By Mr. Bernard, a bill to farm out persons convicted of criminal offences in the counties of Pitt, Wayne, Greene, Wilson, Lenoir and Craven; both of which are referred to the committee on Internal Improvements.

By Mr. Lowry, a bill to amend an act entitled an act to regulate elections, which is referred to the committee on Privileges and Elections.

By Mr. Covington, a bill to incorporate Stonewall Lodge, No. 99, I. O. O. F., at Monroe, Union county;

By Mr. Jones, a bill relating to the city of Wilmington, both of which are referred to the committee on Corporations.

LEAVES OF ABSENCE

are granted to Messrs. Wynne until Tuesday next; Grant to the same time, and to Mr. Fulcher indefinitely.

The hour for

THE SPECIAL ORDER

arrives, and the special order, being the report of the committee to investigate the conduct of B. R. Brown, member of this House from the county of Yadkin, together with the resolution recommending the expulsion of the same for public drunkenness, &c., is announced.

Mr. Norment moves the postponement of the consideration of the special order until the business before the House is disposed of, and the motion prevails.

H. B. 684, the matter before the House, is resumed, the question being on the amendment offered by the committee, which is adopted; and the bill so amended passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Vaughan, Venable, Wheeler, White, Wimberly, York, and Young—96.

Nays—None.

Mr. Cobb moves to still further suspend the rules to put S. B. 91, a bill to incorporate Brevard Station, in Gaston

county, on its third reading. The motion prevails, and the bill passes by the following vote, and is ordered to be enrolled for ratification :

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnston, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Meares, Melson, Miller, Moore, McCorkle, Norment, Oliver, Orchard, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, York, and Young—95.

Nays—None.

THE SPECIAL ORDER

is again resumed.

Mr. Foard moves to pass over the subject informally.

Mr. Woodhouse moves to postpone indefinitely the whole matter; but by consent of the House, withdraws it, and substitutes a motion to postpone for one week. Subsequently, by consent, Mr. Woodhouse withdraws the motion to postpone for one week, and the question recurring on the motion of Mr. Foard to pass over informally both the report and resolutions, it prevails.

On motion of Mr. Vaughan, the rules are suspended, and

H. B. 479, a bill to change the name of the county seat of Alleghany county, and to incorporate the town of Gentry, is taken up.

The question recurs on the amendment of the committee to strike out the word "Gentry" wherever it occurs and insert the word "Sparta." Strike out section 1 and read the bill as interlined. The amendment is adopted, and the bill passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

By consent, Mr. York submits a report from the committee on Insane Asylum.

On motion of Mr. Amis,

H. B. 511, a bill to establish a new county by the name of Gilliam, is taken up.

The following amendment of Mr. Amis is adopted:

Provided, That the proposed new county line, after leaving Tar river at the point mentioned in the bill, be altered as follows: From this point on Tar river in a direct line by Nash's Store, to the Warren county line; thence to Coley's ⋈ Roads, Warren county; thence direct to Nut Bush Creek, where it crosses the Virginia line at the corner of Warren and Granville counties.

Mr. Clarke moves to amend by saying:

"*Provided,* That before the same shall go into operation the proposition shall be submitted to all the qualified voters of the counties to be effected thereby."

On motion of Mr. Cooke, the whole matter is laid on the table.

On motion of Mr. Meares, the rules are suspended and

H. B. 225, a bill to provide for the repairing of the Quarantine hospital at Smithville, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Hewett, the rules are suspended and

H. B. 643, a bill to prevent the use of drags in New river,

is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Colwell,

H. B. 354, a bill to canal Angola Bay, Duplin and Pender counties, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Reid of Macon, the rules are suspended and

H. B. 330, a bill to allow the Rabun Gap Short-Line Railway Company to use fifty convicts, is taken up.

The question recurs on the amendment offered by the committee to strike "fifty" out of the first section, which is adopted, and the bill passes its second reading.

Under a further suspension of the rules the bill came up on its third reading.

Mr. Reid of Macon, moves to amend by inserting fifty, which is adopted, and the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Moore, the rules are suspended and S. B. 17, H. B. 278, a bill amend chapter 105, private laws of 1876–'77, is taken up.

The amendment of the committee on Fish Interest, to strike out "McPheeters' Mill, Burke county," and insert "Orange county," is adopted, and the bill passes its several readings, and the amendment is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Clarke, the rules are suspended and H. B. 390, a bill to amend the charter of the city of Newbern, is taken up and passes its second reading.

Under a further suspension of the rules the bill came up on its third reading.

Mr. Clarke called the ayes and nays, but the call was not sustained, and the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. York, H. B. 471, a bill to protect young fish in the waters of North Carolina, is re-referred to the committee on Fish Interest.

On motion of Mr. Holt, the House adjourns until half-past seven o'clock this evening.

Evening Session.

February 20th, 1879.

The House meets this evening at half-past 7 o'clock, Mr. Moring in the Chair.

Mr. Vaughan rises to a personal explanation in regard to a card from the Commissioner of the Department of Agriculture, appearing in one of the daily papers of this morning in reference to a resolution which passed this House last night.

By consent,

Mr. English introduces a resolution supplementary to the resolution calling for the publication of the disbursement account of the Agricultural Department.

On motion of Mr. English, the resolution is put on its adoption.

Mr. Mebane calls for the reading of said disbursement account; and it is read.

On the passage of the resolution,

Mr. English calls the previous question.

The call is sustained and the main question is ordered.

The question is on the passage of the resolution, and it is adopted.

By consent,

Mr. Harrell introduces a resolution to investigate the affairs of the Agricultural Department.

And, on his motion, the resolution is put on its adoption and fails to pass.

Mr. Richardson moves to place the Calendar for to-night at the disposal of the Speaker, and, on a division, the motion prevails.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 489, a bill to authorize the county of Madison to pay the claim of certain school teachers;

S. B. 461, a bill to authorize the commissioners of Greene county to levy a special tax;

S. B. 516, a bill to incorporate the town of Palmyra, in Halifax county; and

S. B. 342, a bill to amend an act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871.

They are read the first time in this House, and

S. B. 489 is placed on the Calendar;

S. B. 461 is referred to the committee on Finance;

S. B. 516 to the committee on Corporations; and

S. B. 342 to the committee on Railroads, &c.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 133, a bill to authorize the employment of convict labor on the Wilson and Tar River Railroad.

It is read the first time in this House and referred to the committee on Internal Improvements.

A MESSAGE IS RECEIVED FROM THE SENATE,

informing the House that the Senate has appointed as Senate Branch of the committee to arrange the Calendar, Messrs. Dortch, Nicholson and Eaves.

Also Senate branch of joint committee on Railroad Charges: Messrs. King and Davidson.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 205, a bill relating to teachers of common schools in Johnston county; and

S. B. 172, a bill to allow legatees and distributees to sue executors and administrators at any time.

They are read the first time in this House, and

S. B. 172 is referred to the Judiciary Committee; and

S. B. 205 to the committee on Education.

THE CALENDAR

is taken up, and

H. B. 211, a bill to incorporate the State University Railroad, is put on its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 157, a bill to amend section 8, chapter 255, laws of 1876–'77, is taken up on its second reading.

Mr. Cobb moves to postpone the consideration of the bill until Tuesday next at 11 o'clock A. M., and on a division, the motion to postpone prevails.

H. B. 292, a bill to amend sections 3 and 4 of chapter 90, Battle's Revisal, passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 205, a bill to amend an act to protect the fish in Yadkin and Catawba rivers, is taken up on its second reading.

Mr. York moves to add Reddy's river; Mr. Blocker to add Cape Fear river; Mr. Council to add Elk creek, Watauga county; Mr. Cobb to add South Fork in Lincoln county; Mr. Reid of McDowell, North Fork and Buck creek in McDowell county.

The amendment of Mr. Blocker is withdrawn. The other amendments are adopted, and as amended the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Concurrence is had on the Senate amendments to H. B. 241, a bill for the benefit of the Winston, Salem and Mooresville Railroad Company, and a message is ordered to be sent to the Senate informing that body of the action of the House.

H. B. 65, a bill to amend chapter 32, Battle's Revisal, entitled "crimes and punishments," passes its several readings, and is ordered to be engrossed and transmitted to the Senate for concurrence.

H. B. 101, a bill to amend Battle's Revisal, chapter 105, entitled "salaries and fees," on motion of Mr. Brown of Mecklenburg, is indefinitely postponed.

H. B. 108, a bill in relation to the case of the State against G. W. Swepson and M. S. Littlefield, on motion of Mr. Atkinson is laid on the table.

H. B. 109, a bill to amend the charter of the city of Charlotte, on motion of Mr. Brown of Mecklenburg, is laid on the table.

H. B. 302, a bill to establish a normal school in each Congressional district in the State, on motion of Mr. Harrell is laid on the table.

H. B. 116, a bill to alter the Constitution of North Carolina in relation to the insane, on motion of Mr. Ellison is laid on the table.

H. B. 133, a bill to secure the better drainage of the lowlands of Fourth Creek between Baker's Mill in Rowan county and Hayne Davis' Mill in Iredell county, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 246, a bill to amend and consolidate the charters of the Great Falls Manufacturing Company, is put on its readings.

The amendments proposed by the committee are accepted, and the bill so amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 247, a bill to amend the charter of the town of Laurinburg, is put on its readings, and after being read, on motion of Mr. Brown of Mecklenburg, is referred to the committee on the Judiciary.

H. B. 481, a bill to make Purvine's Creek a lawful fence, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 54, a bill to extend the jurisdiction of magistrates, is put on its third reading.

Mr. Brown of Mecklenburg, sends forward the following amendment:

"Amend by striking out the proviso in relation to the removal of magistrates from office for malfeasance;"

which, on a division, is adopted.

Mr. Cooke sends forward the following amendment:

"Section —. Nothing in this act shall be construed to prevent the superior, inferior or criminal courts from finally hearing and determining such affrays as shall be committed within one mile of the place where and during the time such court is being held; nor shall this act be construed to prevent said courts from assuming jurisdiction of affrays, assaults, and assaults and batteries, if some justice of the peace shall not, within six months after the commission of the offence, have proceeded to take official cognizance of the same;"

and the amendment is adopted.

Mr. Blocker offers the following amendment:

"Five justices shall also have jurisdiction of all petty

larceny when the value of the article does not exceed five dollars;"

and the amendment is rejected.

Mr. Reynolds offers the following amendment:

"That whenever a defendant makes affidavit that he cannot have a fair trial in justices' courts in which the warrant of arrest was issued, the case shall be heard before some other justice of the peace of the township."

Mr. Carter of Buncombe, calls the previous question on the passage of the bill, and the call is sustained. The question is upon the amendment of Mr. Reynolds, upon the adoption of which he demands the ayes and nays. The call is not sustained, and the question being put, the amendment is rejected. The question is upon the passage of the bill on its third reading; and it passes, and is ordered to be sent to the Senate with engrossed amendments.

And on motion of Mr. Lewis, the House adjourns until to-morrow morning at 10 o'clock.

THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, Feb. 21st, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Atkinson of the city.

The Journal of yesterday is partly read and stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Armstrong, a petition of citizens of Holly township in Pender county, asking the prohibition of the sale of spirituous liquors within three miles of Maple Hill Church, in said county;

By Mr. Bernard, a petition from citizens of Pitt county, against the repeal of the prohibitory law as applied to Adam's school house and churches in vicinity;

By Mr. Goldston, a petition of citizens of Chatham county, within two miles of O'Kelly's Church in Chatham county; and

By Mr. Richardson of Wake, a petition of citizens of Morrisville, asking the repeal of the prohibitory law as applied to said town.

The following to the committee on the election of Justices of the Peace:

By Mr. Osborne, a petition from forty-seven citizens of Richland township, Beaufort county, asking the appointment of W. T. Campon as magistrate for such township.

The following to the committee on Agriculture:

By Mr. Goldston, two petitions of citizens of the county of Chatham, asking the enactment of a stock law.

And subsequently, by consent,

By Mr. Richardson of Wake, a petition from citizens of Morrisville, asking the repeal of the prohibitory law as affecting that place, which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Colwell, from the committee on Public Roads, reports favorably, with amendment, on

H. B. 692, a bill to provide for keeping in repair the public roads of the State; and a similar report on

H. B. 108, a bill to provide for the laying off of a road from Quaker Bridge, Jones county, to a point near Tar River Landing, Onslow county.

Mr. Foard, from the committee on the Judiciary, reports on

H. B. 477, a bill to aid in the construction of the Winston, Salem and Mooresville Railroad, recommending the adoption of an accompanying substitute.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. B. 637, a bill to authorize Granville county to fund its debt; on

S. R. 436, H. R. 165, a resolution in favor of the Raleigh National Bank; on

S. B. 469, H. B. 697, a bill to authorize the commissioners of McDowell county to levy a special tax.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 714, a bill to incorporate the Globe Gold Company of North Carolina; on

H. B. 713, a bill to iucorporate the Ætna Gold Company of North Carolina; on

H. B. 679, a bill to amend the charter of the town of Chapel Hill; on

H. B. 698, a bill to incorporate the town of Troy, Montgomery county.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 722, a bill to incorporate Stonewall Lodge, No. 99, I. O. O. F., Monroe, Union county; on

H. B. 723, a bill relating to the city of Wilmington; on

H. B. 681, a bill to incorporate Bald Creek Baptist Church, Yancey county; and on

H. B. 489, a bill to incorporate the Rocky Mount Benevolent Aid Society.

Mr. Cale, from the committee on Corporations, reports favorably on

H. B. 678, a bill to incorporate the East LaPorte Masonic Lodge, No. 358, Jackson county.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on

H. B. 704, a bill to amend section 1, chapter 56, Battle's Revisal; on

H. B. 703, a bill to prevent the sale of poisonous liquors in the city of Newbern; and unfavorably on

H. B. 705, a bill to reimburse Henderson county on account of insane persons.

Mr. Cooke, from the Judiciary Committee, reports on

H. B. 542, a bill to amend chapter 182, laws of 1871–'72 recommending the adoption of substitute therefor.

Mr. Clarke, from the committee on Internal Improvements, reports favorably on H. B. 689, a bill to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad Company.

Mr. Covington, from the committee on Privileges and Elections, reports unfavorably on H. B. 604, a bill to amend section 18, chapter 275, laws of 1876–'77, in regard to elections.

Mr. Cobb, from the committee on the Judiciary, reports on H. B. 594, a bill to change the time of holding the courts in the sixth judicial district, recommending the adoption of an accompanying substitute therefor.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they were transmitted to the Senate for concurrence:

H. B. 458, a bill to be entitled an act to allow the commissioners of the town of Graham to levy a license tax on spirituous liquors;

H. B. 350, a bill to be entitled an act to allow the Rabun Gap Short Line Railway Company to work fifty convicts;

H. B. 583, a bill to be entitled an act to incorporate the Six Runs Land Draining Company;

H. B. 643, a bill to be entitled an act to prevent the use of drags in New River in Onslow county, and for other purposes;

H. B. 354, a bill to be entitled an act to canal Angola Bay in the counties of Duplin and Pender;

H. B. 225, a bill to be entitled an act to provide for the repairing of the quarantine hospital at Smithville;

H. B. 479, a bill to be entitled an act to change the name of the county site of Alleghany county and to incorporate the town of Sparta.

Engrossed amendment to

H. B. 278, S. B. 17, a bill to amend chapter 105, private laws of 1876–'77.

Mr. English, from the committee on Engrossed Bills, reports the following engrossed amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

Engrossed amendments to

S. B. 54, H. B. 303, bill to be entitled an act to define the criminal jurisdiction of justices of the peace.

INTRODUCTION OF RESOLUTIONS.

By Mr. Clarke, a resolution of instruction to the committee on Privileges and Elections; and

By Mr. Turner, a resolution to consult the people on the payment of the State debt, both of which are placed on the Calendar;

By Mr. Reid of McDowell, a resolution to pay witnesses, which is referred to the committee on Finance;

By Mr. Angier, a resolution in favor of J. W. Carr, of

Orange county, which is referred to the committee on Claims;

By Mr. Anderson, a resolution in regard to the purchase of stationery, which is placed on the Calendar;

By Mr. Vaughan, a resolution in regard to the publication of the captions of acts of this General Assembly, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Hines, a bill to amend chapter 260, laws 1876–'77;

By Mr. Armstrong, a bill to prevent the felling of trees and other obstructions in Angola and Shelter Creeks, in Pender county; and

By Mr. Davis of Catawba, a bill to incorporate the trustees of Ball's Creek Methodist Church Camp Ground, in Catawba county, all of which are referred to the committee on Propositions and Grievances.

By Mr. Colwell, a bill to define false pretense; and

By Mr. Gatling, a bill to legalize the name of John Riddick, of Gates county, both of which are referred to the committee on the Judiciary.

By Mr. Gatling, a bill for the benefit of Wm. H. Polson, Elisha Piland and James T. Powell, three one-armed soldiers of Gates county, which is referred to the committee on Finance.

By Mr. Orchard, a bill to amend the charter of the town of Concord, and to increase the corporate limits, which is referred to the committee on Corporations.

By Mr. Lockhart, a bill to provide commutation for Edmund D. Gaddy, a disabled soldier, which is placed on the Calendar.

The morning hour having expired,

The following leaves of absence are granted: To Mr. Bost from to-day until Tuesday; to Mr. Foster from same time

until Monday; and to Mr. Norment from the same time until Tuesday.

Mr. Atkinson is announced as detained from his seat in the House to-day by sickness.

Leave of absence is also granted to Mr. Richardson of Columbus from to-day until Monday, and to Mr. Harrison until Tuesday.

The following gentlemen are announced as composing the House branch of the committee on Railroad charges:

Messrs. Carter of Buncombe, Orchard and Clarke.

On motion of Mr. Colwell, the rules are suspended and H. B. 692, a bill to provide for keeping in order the public roads of the State, is put on its readings.

Mr. Barringer offers an amendment excluding the county of Rowan from the operations of the bill, and Mr. Amis to exclude the county of Granville.

Mr. Vaughan rises to a point of order, that the question for the consideration of the House are the amendments offered by the committee, and the amendments now offered are to the bill. The point of order is sustained, and the question is put on the amendments of the committee and they are adopted.

The question is then put on the amendment of Mr. Barringer and it is rejected.

The amendment of Mr. Amis is adopted.

Mr. Ritchey moves to except Stanley county, and the amendment is rejected.

Mr. Forbes moves to except Camden county, and the amendment is rejected.

Mr. Ellison moves to exclude ministers from the operations of the bill, and upon its adoption demands the ayes and nays.

The call is not sustained, and the question being put, the amendment is rejected.

Mr. Hewett moves to exclude the county of Onslow, and the amendment is rejected.

Mr. Cale moves to exclude the county of Pasquotank, and the amendment is rejected.

Amendments are before the House from many gentlemen.

On the passage of the bill Mr. Cooke demands the previous question. The call is sustained and the main question ordered.

The question is put on the amendment of Mr. Etheridge to exclude the county of Bertie, and it is rejected.

The following amendment offered by Mr. Davis of Haywood, is put on its adoption:

Amend section 4 by striking out in line five and six the words "no more than ten in each and every year."

And the amendment is adopted.

The amendment of Mr. Hobbs to strike out "one dollar" is rejected.

The question is on the following amendment:

"Sec. 12. Upon the petition of one-fifth of the qualified voters of any county, the county commissioners of said county may submit the question to the voters of the county of levying a tax, a tax of not more than one per cent. on the hundred dollars worth of property to assist in keeping up the roads."

And the question is put and the amendment rejected.

The question is put on an amendment of Mr. Hewett to strike out "one dollar" wherever it occurs and insert "fifty cents," and it is rejected.

The question is then put on the amendment of Mr. Turner to except the county of Orange, and it is rejected.

The following amendment offered by Mr. Cooke, is put on its adoption:

"Amend by adding to the end of section 3, "that when a

public road shall be a dividing line between townships, the board of commissioners of the county shall determine as to how said road shall be divided, with reference to the working of said road."

The amendment of Mr. Vaughan, "that the provisions of this act shall not apply to the counties of Alleghany, Ashe, Watauga and Alexander," is adopted, and the bill as amended passed its second reading.

Mr. Cooke moves to suspend the rules to put the bill on its third reading, and on a division the rules are suspended.

On the passage of the bill, Mr. Cooke demands the previous question.

The call is sustained and the main question ordered.

The question is on the amendment of Mr. Berry, "that all ministers of the gospel in good standing shall be exempted from working on the roads," and the amendment is rejected.

And the bill then passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Cooke moves to reconsider the vote by which the bill passed its third reading, and lay that motion on the table; and the motion to table prevails.

Mr. Davis of Catawba, makes a report from the joint committee to examine the Calendar.

On motion of Mr. Foard,

H. B. 477, a bill to aid in the construction of the Winston, Salem and Mooresville Railroad, is put on its third reading and passes by the following vote, and is ordered to be sent to the Senate without engrossment, and it is so transmitted:

Ayes—Messrs. Angier, Ardrey, Armstrong, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Cobb, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, English, Ethe-

ridge, Ewing, Ferrell, Foard, Foy, Gatling, Goldston, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, and Young—86.

Nays—None.

Mr. Jones moves to take up H. B. 723, a bill relating to the city of Wilmington.

The rules are suspended and the bill put on its second reading.

Mr. Scott moves to postpone for the present the consideration of the bill and make the bill the special order for Wednesday next, at 11 o'clock A. M., and on that motion demands the ayes and nays.

On the whole question Mr. Jones demands the previous question.

The call is sustained and the main question ordered.

The question is on the demand of Mr. Scott for the ayes and nays on his motion to postpone.

The call is sustained and the House refuses to postpone by the following vote:

Ayes—Messrs. Barringer, Bateman, Battle, Bingham, Bird, Blaisdell, Blalock, Brown of Yadkin, Bruce, Cale, Carter of Warren, Carson, Clarke, Council, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Foy, Henderson, Hobbs, Horton, Lowry, Lutterloh, Miller, Newell, Osborne, Pettipher, Reynolds, Ritchey, Roberson, Scott, Venable, Waddell, White, and Wimberly—40.

Nays—Messrs. Amis, Ardrey, Armstrong, Bernard, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carroll, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Covington, English, Ether-

idge, Forbes, Goldston, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lockhart, Meares, Mebane, Melson, Moore, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Smith, Taylor, Turner, Wheeler, Woodhouse, and Young—52.

The question is then on the bill on its second reading, and on a division the bill passed. Ayes 43, nays 37.

Mr. Jones moves to put the bill on its third reading, and on a division, two-thirds not having voted, the rules are not suspended.

On motion of Mr. York, the Calendar is placed at the disposal of the Speaker for the remainder of the day.

H. B. 648, a bill to lay out and construct a public road from Union church, in Alleghany county, to Bush Hill, in Wilkes county, is put on its readings and passes, and is ordered to be sent to the Senate without engrossment; and it is so transmitted.

H. B. 503, a bill to reimburse the county of Harnett for supporting her insane outside of the Asylum, on motion of Mr. Brown of Mecklenburg, is laid on the table.

H. B. 504, a bill to reimburse Perquimans county, on motion of Mr. Foard is laid on the table.

H. B. 505, a bill to prevent over charges in the sale of merchandize, is put on its readings.

Mr. Brown of Mecklenburg, moves to lay the bill on the table; and on a division the vote stands ayes 43, nays 11, and there is no quorum voting.

The question is again put and on the adoption of the motion, Mr. Lutterloh demands the ayes and nays. The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Bernard, Bingham, Bird, Bizzell, Bost, Brown of Mecklenburg, Burroughs, Carson, Cobb, Cooke, Covington, Dimsdale, Dunn, Etheridge, Ewing, Harrell, Harrison, Huffstetler, Jones,

Lockhart, Meares, Mebane, Orchard, Rawley, Reid of McDowell, Roberson, Taylor, and Young—32.

Nays—Messrs. Armstrong, Barringer, Bateman, Battle, Berry, Blaisdell, Blalock, Blocker, Brown of Yadkin, Bruce, Cale, Carter of Warren, Carroll, Clarke, Click, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Deans, Dixon, Ellison, English, Foard, Forbes, Foy, Goldston, Henderson, Hewett, Hines, Hobbs, Horton, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Melson, Miller, Moore, Newell, Osborne, Powers, Reid of Macon, Reynolds, Richardson of Columbus, Ritchey, Smith, Turner, Vaughan, Venable, Wheeler, White, Wimberly, and Woodhouse—56.

The bill passes its second reading, and without objection, goes to its third reading, when, on motion of Mr. Taylor, the enacting clause is amended to conform to the Constitutional requirement; and as amended, the bill passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 524, a bill to authorize the county commissioners of Bladen county to fund the floating debt, is put on its third reading, and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Barringer, Battle, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Clarke, Click, Cobb, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, Etheridge, Ewing, Foard, Forbes, Foy, Goldston, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, Oliver, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Venable, Wheeler, Wimberly, Woodhouse, and Young—70.

Nays—Messrs. Cale, Carter of Warren, Dimsdale, Newell, Pettipher, Scott, Waddell, and White—8.

Mr. Harrison asks and obtains leave to withdraw from service on the committee of Justices of the Peace, on account of necessary absence.

On motion of Mr. Vaughan, the resolution introduced by him during the morning session, concerning the publications of captions of the acts of this General Assembly, is taken up and passes its second reading.

On going to its third reading, Mr. Brown of Mecklenburg, moves to strike out "100 copies" and insert "50 copies." The motion is lost.

Mr. Covington moves to strike out 100 copies and insert 20 copies. The motion is lost, and the resolution passes its third reading and is ordered to be transmitted to the Senate without engrossment.

On motion of Mr. Anderson, a resolution introduced by him during the morning's session in relation to stationery for the use of this House, is taken up and passes, and is ordered to be sent to the Senate without engrossment.

Mr. Scott is added to the committee on the Election of Justices of the Peace, to take the place of Mr. Harrison, withdrawn.

And the House adjourns until to-night at half-past seven o'clock.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
Friday, Feb. 21st, 1879.

The House meets this evening at half-past seven o'clock.
Mr. Speaker Moring in the chair.
The report of the committee of conference on

S. B. 61, H. B. 144, a bill to regulate the fees of jailers, is laid before the House and said report is adopted by the House, and a message is sent to the Senate informing that body of the action of this House.

THE CALENDAR IS TAKEN UP.

H. B. 254, a bill to amend chapter 107, of the laws of 1874–'75, relating to the town of LaGrange, in Lenoir county, is put on its readings and passes, and is ordered to be engrossed and transmitted to the Senate for concurrence.

H. B. 689, a bill to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad, is put on its second reading.

Mr. Jones moves to strike out section 21, and the question being put, on a division no quorum votes.

Mr. York moves a call of the House.

The motion prevails, and the following gentlemen answer to their names: Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Etheridge, Ewing, Ferrell, Foard, Forbes Foy, Gatling, Goldston, Harrell, Hewett, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Roberson, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—91 present.

The question is again put, and the amendment is lost.

Mr. Vaughan offers the following amendment:

"*Provided*, that this bill shall not be construed to repeal any law now in force authorizing the farming out of convicts to any other person or corporation."

The amendment is accepted, and the bill passes its second reading, and is put on its third reading.

Mr. Jones renews the amendment offered on the second reading, "to strike out section 21," which is accepted.

Mr. Foard offers the following amendment:

"*Provided*, that the State shall have first lien for net value of work done on all property of said road; said amount to be ascertained by one person appointed by the Gorvernor of the State, and one by said railroad company."

The amendment is rejected, and the bill passes the third reading; but it appearing that the bill provides for the levy of taxes, the vote by which the bill passes its readings is reconsidered, and the bill again put on its second reading, and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Etheridge, Ewing, Ferrell, Foard, Forbes, Foy, Gatling, Goldston, Harrell, Henderson, Hewett, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lowry, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor,

Turner, Vaughan, Waddell, Wheeler, Wimberly, York, and Young—88.

H. B. 148, a bill to provide for the more speedy trial of criminals, is put on its third reading.

The amendments of the committee are adopted; and as amended, the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 542, a bill to amend chapter 152, of the acts of 1871-'72, is put on its second reading.

The substitute offered by the committee is adopted, and as substituted, the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 619, a bill to establish graded schools in No. 12 township in the county of Cabarrus, is put on its second reading and passes by the following vote:

Ayes—Messrs. Anderson, Ardrey, Armstrong, Barringer, Bateman, Bernard, Bird, Bizzell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ferrell, Forbes, Foy, Gatling, Goldston, Henderson, Hewett, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lowry, Meares, Mebane, Melson, Moore, Newell, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Taylor, Turner, Wheeler, Wimberly, York, and Young—73.

Nays—None.

H. B. 352, a bill for the relief of certain citizens of the counties of New Hanover, Union and Hertford, is put on its second reading.

Mr. Bateman moves to include the county of Washington in the benefits of the bill, which amendment is adopted.

Mr. Lindsay offers the following amendment, which is accepted:

"Amend by adding that the provisions of this act shall apply to all ton tax paid by any county on fertilizers, when the same shall be properly proven."

And the bill so amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. R. 173, a resolution requiring the Secretary of State to issue a grant to Joel T. Flannagan, of the county of Wilkes, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 459, a bill to prescribe the mode of selling tar, is put on its readings.

The amendments of the the Committee are adopted.

Mr. Pettipher offers the following amendment:

Provided, there is no dirt in the tar;"

which, on a division, is rejected, and the bill passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 358, a bill to amend and revise the charter of the town of Winston; also the report of the Committee of Conference on

S. B. 61, H. B. 144, a bill amending Battle's Revisal, in relation to fees of jailers; and announcing concurrence in the House amendments to

S. B. 17, H. B. 278, a bill to amend chapter 105, private laws of 1876-'77.

S. B. 358 is read the first time in this House, and referred to the committee on Corporations.

The report of the committee of Conference on S. B. 61, H. B. 144, is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 69, a bill to regulate salaries and fees in certain cases, asking the concurrence of the House.

The bill is read the first time and referred to the committee on Finance.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 454, a bill for the relief of N. R. Jones, sheriff of Warren county.

The bill is read the first time in this House and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 565, a bill to re-convey and house a lot heretofore sold for taxes.

The bill is read the first time in this House and referred to the committee on the Judiciary.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, and asking the concurrence of the House ;

S. B. 519, a bill to establish a new county, to be called Scotland ; and

S. B. 365, a bill to amend the charter of the town of Edenton.

S. B. 519 is referred to the committee on Counties, Cities, Towns, etc., and

S. B. 365 is referred to the same committee.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 431, a bill to incorporate Aurora Lodge, No. 108, I. O. G. T., of Warrenton, N. C., which is read for the first time, and referred to the committee on Corporations.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 487, a bill to prevent live stock from running at large in Rowan, Cabarrus, Davie and other counties, which is read for the first time in this House, and referred to the committee on Agriculture, etc.

By consent,

S. B. 454, a bill for the relief of Nathaniel R. Jones, sheriff of Warren county, is put on its readings and passes, and is ordered to be enrolled for ratification.

S. B. 203, H. B. 430, a bill to prevent the driving of cattle from South Carolina, etc., into the counties of the State west of the Blue Ridge, is put on its readings.

The substitute of the committee is considered.

Mr. Foard moves to insert Yadkin, which is accepted.

The substitute is adopted, and the bill passes its second reading.

On the third reading Mr. Jones offers the following amendment:

"*And provided further*, that this act shall not apply to farmers driving cattle to Watauga county to pasture for hire."

It is accepted; and the bill so amended is ordered to be sent to the Senate with engrossed amendments.

H. B. 224, a bill to amend section 29, chapter 98, Battle's Revisal, is put on its reading.

The amendments of the committee are adopted, and as amended the bill passes and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 136, a bill to protect game in Granville county, on motion of Mr. Armstrong, is laid on the table.

H. B. 137, a bill to reform bills of costs in civil suits, on motion is tabled.

H. B. 163, a bill to create a sinking fund is announced, but on motion of Mr. Coffield the House adjourns until to-morrow morning at 10 o'clock, and the bill comes up as the unfinished business.

FORTIETH DAY.

House of Representatives,
Saturday, Feb. 22nd, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Amis, and is opened with prayer by Rev. Dr. Atkinson of the city.

The reading of the Journal of yesterday is suspended and it stands approved.

The following petitions are introduced and appropriately referred:

By Mr. Bird, a petition from citizens of Howard Gap Road, which is referred to the committee on Propositions and Grievances.

The following are referred to the committee on the Appointment of Justices of the Peace:

By Mr. Brown of Yadkin, a petition of forty-seven citizens of Fall Creek, Yadkin county, in regard to the appointment of a magistrate;

By Mr. Reynolds, a petition from citizens of Brinkleyville township, Halifax county, asking the appointment of H. J. Hewlin as a magistrate for said township;

By Mr. Amis, a petition of citizens of Granville county, asking the appointment of B. T. Winston as a magistrate for Oak Hill township; and

By Mr. Brown of Yadkin, a petition of citizens of Buckshoal township, Yadkin county, asking the appointment of R. C. Johnson as a magistrate of said township.

REPORTS OF COMMITTEES.

Mr. Leatherwood, from the committee on Railroads, Postroads and Turnpikes, reports favorably on

H. B. 699, a bill supplementary to acts authorizing the working of convicts, &c.; on

S. B. 342, H. B. 728, a bill to amend an act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871; and with amendment on

H. B. 687, a bill supplementary to acts farming out convicts.

Mr. English, from the committee on Penal Institutions, submits a report, which is placed on the Calendar.

Mr. Lockhart, from the committee on the Judiciary, reports favorably on

H. B. 248, a bill to authorize the commissioners of Richmond county to levy a special tax.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 731, a bill to amend the charter of the town of Concord and increase the corporate limits.

Mr. Harrell, from the committee on Finance, reports unfavorably on

H. R. 184, a resolution in favor of J. W. Carr, of Orange county.

Mr. Reid of McDowell, from the committee on Counties, Cities, Towns and Townships, reports favorably on

H. B. 630, a bill declaratory of the meaning of and amendatory to the charter of the town of Reidsville.

Mr. Rawley, from the committee on Internal Improvements, reports favorably on

S. B. 161, H. B. 647, a bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 463, H. B. 669, a bill to allow the Bank of Greensboro further time to wind up its business; on

S. B. 256, H. B. 673, a bill to require enterers of land in North Carolina to give notice to adjoining owners; on

H. B. 486, a bill to amend chapter 161, laws of 1876-'77, in relation to probate of deeds, &c.; on

H. B. 623, a bill to amend chapter 154, laws 1876-'77; on

H. B. 215, a bill in regard to additional disqualifications of jurors, favorably, with amendment; and unfavorably on

H. B. 733, a bill to legalize the name of John Riddick, of Sunsbury, Gates county; on

H. B. 88, a bill to amend chapter 9, sections 1 and 2, Battle's Revisal, in regard to bastard children; on

H. B. 93, a bill to amend sections 1 and 2, chapter 9, Battle's Revisal, in relation to bastardy;

H. B. 634, a bill to provide for the service of process in civil actions; on

H. B. 622, a bill to amend the act incorporating homestead and building associations in this State; on

H. B. 539, a bill authorizing the mayor and commissioners of Elizabeth City to have the principal streets of the town paved and lighted; on

H. B. 611, a bill in relation to mortgages and deeds in trust; on

H. B. 677, a bill to amend section 5, article V of the Constitution; and on

H. B. 675, a bill to change the line between the counties of Alexander and Caldwell; the committee express no opinion, and report the bill back without recommendation.

Mr. Leatherwood, from the committee on Railroads, Postroads, and Turnpikes, by consent, submits a favorable report, with amendment, on

H. B. 686, a bill to allow the citizens of Craven county to make a footway across the railroad bridge at Newbern.

The committee on enrolled bills reports as correctly enrolled:

An act for the benefit of the Winston, Salem and Mooresville Railroad Company;

An act to change the time of holding the superior courts in the fifth judicial district;

An act in favor of Nathaniel R. Jones, sheriff of Warren county;

An act to incorporate Brevard Station, Gaston county, N. C.;

An act to amend section 5, chapter 71, laws of 1871–'72, as brought forward in chapter 27, section 26, Battle's Revisal;

An act to extend the corporate limits of the town of Elizabeth City; and

A resolution on adjournment.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 133, a bill to be entitled an act to secure the better drainage of the low grounds of Fourth Creek, in the counties of Rowan and Iredell;

H. B. 740, a bill to be entitled an act to amend chapter 152, laws of 1871–'72;

H. B. 81, a bill to be entitled an act to make Purvis' Creek a lawful fence;

H. B. 505, a bill to be entitled an act to prevent overcharges in the sale of produce;

H. B. 211, a bill to be entitled an act to incorporate the State University Railroad Company;

H. B. 65, a bill to be entitled an act to amend chapter 32, Battle's Revisal, entitled "crimes and punishments;" and

H. B. 292, a bill to be entitled an act to amend sections 3 and 4 of chapter 80, Battle's Revisal.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Bingham, a resolution on adjournment;

By Mr. Barringer, a resolution;

By Mr. Reynolds, a resolution in regard to Washington's birth-day; and

By Mr. Turner, a resolution.

INTRODUCTION OF BILLS.

By Mr. Blaisdell, a bill for the relief of John H. Cox of Perquimans county, which is referred to the committee on the Judiciary.

By Mr. Lockhart, a bill to authorize the commissioners of Anson county to levy a special tax;

By the committee on Penal Institutions, a bill to provide for the support of the Penitentiary for the years 1879–'80; both of which are placed on the Calendar.

By Mr. Newell, a bill to allow the commissioners of Bladen county to submit the question of keeping up the public roads by taxation to a three-fourths vote of the county, which is referred to the committee on Finance.

The following bills are referred to the committee on Propositions and Grievances:

By Mr. Bird, a bill to repeal chapter 123, laws of 1876–'77.

By Mr. Chadwick, a bill to facilitate the navigation of the streams of the State; and

By Mr. Buchan, a bill in regard to cotton weighers for the town of Goldsboro.

By Mr. Council, a bill to change the line between the counties of Ashe and Watauga, which is referred to the committee on Counties, Cities, Towns and Townships.

By Mr. Mebane, a bill to amend an act to establish a Department of Agriculture, and to increase sheep husbandry, which is referred to the committee on Retrenchment and Reform.

By Mr. Reynolds, a bill to incorporate the North Carolina Baptist Sunday School Convention;

By Mr. Melson, a bill to incorporate Columbia Lodge, No. 132, I. O. G. T.; both of which are referred to the committee on Corporations.

THE UNFINISHED BUSINESS

of last night's session is resumed, being

H. B. 163, a bill to create a sinking fund.

Mr. Carter of Buncombe, moves that the bill be ordered to be printed, and the question on the motion to print is put, and it is lost.

Mr. Ellison moves to insert the name of Geo. T. Stronach, which is accepted, and the bill as amended passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

LEAVES OF ABSENCE

are granted to Messrs. Henderson, McCorkle, Covington and Barringer until Tuesday, and to Mr. McLean indefinitely, on account of sickness.

On motion of Mr. Council,

H. B. 699, a bill supplementary to an act authorizing the working of convicts on the Ore Knob and Mount Airy Narrow Gauge Railroad, &c., is put on its second reading.

Mr. Jones offers the following amendment:

"The Chester and Lenoir, and the Caldwell and Watauga Railroad, and the Ore Knob and Mount Airy Railroad, or either of them, may turn over the convicts hereby or hereafter granted to any or all of said roads, the Cape Fear and Yadkin Valley Railroad to be worked by said Cape Fear and Yadkin Valley Railroad, under the same regulations and conditions as the convicts heretofore granted to the said Cape Fear and Yadkin Valley Railroad."

The amendment is accepted, and as amended the bill passes its several readings, and is orderd to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Leatherwood,

H. B. 678, a bill to incorporate the East La Porte Masonic Lodge, No. 308, in Jackson county, is put on its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Davis of Haywood,

H. B. 595, a bill to create a new township out of portions of Waynesville and Beaver Dam townships, in Haywood county, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Brown of Mecklenburg, the Calendar is placed at the disposal of the Speaker for the remainder of the day.

THE CALENDAR IS TAKEN UP.

H. B. 723, a bill in favor of the city of Wilmington, is put on its third reading and passes.

Mr. Armstrong moves that the vote by which the bill passed be reconsidered and that motion be laid on the table; and the motion to table prevails.

And on the further motion of Mr. Armstrong, the bill is transmitted to the Senate without engrossment.

On motion of Mr. Reynolds,

H. R. 189, a resolution to adjourn to-day at half-past one o'clock, is put on its adoption.

Mr. Brown of Mecklenburg, moves to amend by inserting three o'clock.

Mr. Taylor moves to lay this motion on the table; and on a division, the motion to table prevails.

H. B. 567, a bill to amend section 7, chapter 75, laws of 1825, an act for the better government of the town of Wadesboro, is put on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 305, a bill concerning the ratification of the laws of the present session of the General Assembly, on motion of Mr. Lewis is laid on the table.

H. B. 684, a bill to amend the charter of Fayetteville and to appoint a committee of Finance, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Click, Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Feard, Forbes, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Petti-

pher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Vaughan, Venable, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—93.

Nays—None.

H. B. 581, a bill to authorize the county commissioners of Macon county to levy a special tax, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Foard, Forbes, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, White Wimberly, Woodhouse, York, and Young —89.

On motion of Mr. Vaughan,

S. B. 157, a bill to amend section 8, chapter 255, laws of 1876–'77, is withdrawn from the special order Calendar and placed on its several readings and passes, and is ordered to be enrolled for ratification.

S. B. 307, a bill to make the Upper and Lower Litte rivers in Harnett county a lawful fence, and for other purposes, is put on its second reading.

The amendments proposed by the committee are adopted, and, as amended, the bill passes it second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Bar-

ringer, Bateman, Battle, Bernard, Bizzell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Coffield, Cooke, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ewing, Forbes, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Holt, Huffstetler, Jones, Johnston, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Taylor, Wheeler, White, Wimberly, Woodhouse, and Young—71.

Nays—Mr. Turner.

H. B. 731, a bill to amend the charter of the town of Concord, and to increase the corporate limits, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Bernard, Bird, Bizzell, Blaisdell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Click, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ewing, Foard, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Ritchey, Roberson, Taylor, Vaughan, Wheeler, Wimberly, Woodhouse, York, and Young—74.

Nays—None.

H. B. 637, a bill to authorize the commissioners of Granville county to fund its debt, is put on its second reading.

Mr. Burroughs offers the following amendment:

"*Provided*, the county commissioners shall have no power to lay a special tax: *Provided further*, the matter shall first be submitted to the qualified voters of the county."

The question being put on the amendment, it is adopted, and as amended the bill passes its second reading, and on motion of Mr. Amis, the bill is recommitted to the committee on Finance.

Mr. Turner moves that

H. R. 174, a resolution to recover the State's property and to indict certain persons for spoiliation of the State, be made special order for Monday next at 12 o'clock M.

Mr. Lutterloh moves to substitute Tuesday at 12 M., which is accepted, and the order made accordingly.

Mr. Turner moves to make

H. R. 166, a resolution repealing a resolution ratified the 26th day of January, 1871, and thereby reviving the reward for Milton S. Littlegeld, be made the special order for Wednesday next at 12 M.

Mr. Vaughan moves to lay the motion on the table, and it prevails.

Mr. Amis moves to make

H. B 502, a bill in relation to salaries and fees, special order for Tuesday next at 11 o'clock, A. M.; and it is so ordered by the House.

On motion of Mr. Clarke,

H. R. 181, a resolution of instruction to the committee of Privileges and Elections, is put on its passage and adopted.

Mr. Turner moves to make

H. R. 188, a resolution in regard to the expenditures of the Agricultural Department, the special order for February 27th, at 10 o'clock, P. M.

Objections being made, the motion fails.

On motion of Mr. Bingham,

H. B. 374 is made special order for Monday evening at 7½ o'clock.

On motion of Mr. Vaughan,

S. B. 393, H. B. 577, a bill to amend section 7, chapter 255, laws of 1876-'77, in regard to holding the courts in the seventh judicial district, is taken up.

Mr. Vaughan offers the following amendment, which is adopted:

Amend by striking out in the second line of the third section the word "its passage," and insert "the first day of August, A. D. 1879."

The bill then passed its several readings, and the amendment is ordered to be engrossed and sent to the Senate for concurrence.

On motion,

H. B. 698, a bill to incorporate the town of Troy, Montgomery county, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Carson, Chadwick, Click, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dunn, Ellison, Etheridge, Ewing, Foard, Forbes, Foy, Gatling, Harrell, Hines, Hobbs, Horton, Huffstetler, Jones, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Melson, M ller, Moore, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, and Young—67.

Nays—None.

A message is received from his Excellency, the Governor, in relation to M. S. Littlefield, G. W. Swepson, &c.

On motion of Mr. Blocker, it is referred to the Judiciary Committee.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 628, a resolution in favor of North Carolina's me-

morial of arms in honor of Gen'l George Washington, which is placed on the Calendar.

On motion,

S. R. 628, a resolution in favor of North Carolina's memorial of arms in honor of Gen'l George Washington, is taken up and passes its several readings, and is ordered to be enrolled.

Mr. Blocker moves to adjourn.

Mr. York calls the ayes and nays.

The call is not sustained.

On a division, the House adjourns to ten o'clock, Monday morning.

FORTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Monday, Feb. 24th, 1879.

The House meets this morning at 10 o'clock, and is called to order by Mr. Speaker Moring.

The Journal of Saturday is partly read, and stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Carter of Buncombe, a petition of citizens of Buncombe county, asking for the prohibiton of the sale of spirituous liquors within a mile of Morgan church in Buncombe county, and the Forks of Ivy Baptist church in Madison county;

By Mr. Cobb, a petition from citizens of Lincoln county, asking authority to levy a special tax;

By the same, a petition of citizens of Lincoln county, asking the passage of a "no fence law";

By Mr. Berry, a petition of 270 citizens of Burke county, to abolish the homstead law; and

By Mr. Orchard, a petition of citizens of Cabarrus county, praying for the prohibition of the sale of spirituous liquors within three miles of St. John's church.

The following to the committee on the appointment of Justices of the Peace:

By Mr. Waddell, a memorial of citizens of New Hanover county, making certain recommendations for the appointment of certain justices of the peace; and

By the same, a petition of citizens of Harnett township, New Hanover county, asking the appointment of John H. Holt as magistrate for said township.

The following to the committee on Fish Interests:

By Mr. Etheridge, a petition against interfering with fishing in Albemarle Sound or any of the streams flowing thereinto; and

By the same, two petitions against interfering with fishing in Cashie river, and against lay days in said river.

By Mr. Lockhart, four petitions of citizens of Richmond county against the creation of the new county of Scotland; which is referred to the committee on Cities, Towns, &c.

REPORTS OF COMMITTEES.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 758, a bill to incorporate Columbia Lodge, No. 132, I. O. G. T.; on

H. B. 757, a bill to incorporate the North Carolina Baptist Sunday School Convention; on

S. B. 358, H. B. 747, a bill to amend and revise the charter of the town of Winston; on

S. B. 516, H. B. 727, a bill to incorporate the town of Palmyra, Halifax county; and on

S. B. 431, H. B. 746, a bill to incorporate Aurora Lodge, No. 108, I. O. G. T., Warrenton, N. C.

Mr. Ardrey, from the committee on Corporations, reports favorably on

S. B. 487, H. B. 741, a bill to prevent live stock from running at large in Rowan, Davie, and other counties.

Mr. Brown of Mecklenburg, from the committee on Finance, reports favorably on

H. B. 403, a bill to authorize E. Everett, former sheriff of Swain county, to collect arrears of taxes; on

S. B. 461, H. B. 729, a bill to authorize the commissioners of Greene county to levy a special tax; on

S. B. 69, H. B. 743, a bill to regulate salaries and fees in certain cases; on

H. B. 732, a bill for the benefit of N. H. Polson, Elisha Pittard, and James T. Powell, three one armed soldiers of Gates county; on

H. B. 712, a bill for the relief of James T. Somers, former sheriff of Wilkes county; and unfavorably on

H. B. 752, a bill to allow the commissioners of Bladen county to submit the question of keeping up the public roads by taxation to a three-fourths vote of the county.

Mr. Buchan, from the committee on Propositions and Grievances, reports favorably on

H. B. 753, a bill to repeal chapter 123, laws of 1866–'67; on

H. B. 759, a bill to establish cotton weighers for the town of Goldsboro; and on

H. B. 737, a bill to prevent the felling of trees in Angola and Shelter Creeks, in the county of Pender.

Mr. Taylor, from the committee on Internal Improvements, reports favorably on

S. B. 133, H. B. 724, a bill to authorize the employment of convict labor on the Wilson and Tar River Railroad.

Mr. Clarke, from the committee on Military Affairs, reports favorably on

S. B. 527, H. B. 646, a bill in relation to the Staff of the Governor.

Mr. Jones, from the committee on Corporations, makes an additional report on

H. B. 736, a bill to incorporate the Trustees of Ball's Camp Ground, Catawba county, recommending the passage of the bill.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 641, a bill to be entitled an act for the better drainage of the bottom lands on Silver Creek, in Burke county;

H. B. 390, a bill to be entitled an act to amend the charter of the city of Newbern;

H. B. 692, a bill to be entitled an act to provide for keeping in repair the public roads of the State;

H. B. 524, a bill to be entitled an act to authorize the county of Bladen to fund its floating debt;

H. B. 246, a bill to be entitled an act to amend and consolidate the charters of the Great Falls Manufacturing Company in Richmond county;

H. B. 678, a bill to be entitled an act to incorporate the East La Porte Masonic Lodge, No. 358, in Jackson county;

H. B. 595, a bill to be entitled an act to create a new township in the county of Haywood.

H. B. 567, a bill to be entitled an act to amend section 7, chapter 75, laws of 1825, an act for the government of Wadesboro, in the county of Anson;

H. B. 352, a bill to be entitled an act for the relief of New Hanover, Union, Hertford and Washington counties;

H. B. 158, a bill to be entitled an act for the speedy trial of criminals;

H. B. 254, a bill to be entitled an act to amend chapter 107, laws of 1874-'75, relating to the town of La Grange, in Lenoir county;

H. B. 459, a bill to be entitled an act to prescribe the mode of selling tar;

H. B. 224, a bill to be entitled an act to amend section 20 of chapter 98 of Battle's Revisal;

H. R. 173, resolution requiring the Secretary of State to issue a land grant to Joel T. Ferguson, of Wilkes county;

Engrossed substitute for

S. B. 203, H. B. 430, a bill to be entitled an act to prevent the driving of cattle from South Carolina and other places West of the Blue Ridge;

Engrossed amendments to

S. B. 393, H. B. 577, a bill to be entitled an act to amend section 7, chapter 255, laws of 1876–'77, in regard to holding the courts of the 7th judicial district.

INTRODUCTION OF RESOLUTIONS.

By Mr. York, a resolution to push forward the work of this General Assembly, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Carter of Buncombe, a bill for the better security of counties against costs in criminal actions, which is placed on the Calendar.

The following bills are introduced and referred to the committee on Corporations:

By Mr. Jones, a bill to amend and re-enact an act chapter 63, laws of 1872-'73;

By Mr. Colwell, a bill for the better government of the town of Warsaw, Duplin county;

By Mr. Davis of Madison, a bill to incorporate Sulphur Springs and Paint Rock Turnpike Company;

By Mr. Cobb, a bill to incorporate the Lawrence Manufacturing Company, Gaston county;

By Mr. Etheridge, a bill to incorporate the State Grand Lodge I. O. S. and D. of Samaria; and

By Mr. Etheridge, a bill to incorporate the Joint Stock Company of Bertie county.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Ardrey, a bill to amend chapter 138, laws of 1873-'74;

By Mr. Cobb, a bill authorizing the commissioners of Lincoln county to levy a special tax;

By Mr. Orchard, a bill to prohibit the sale of spirituous liquors within three miles of St. John's Church, Cabarrus county;

By Mr. Richardson of Wake, a bill to amend the acts of 1876-'77, chapter 270, in relation to the sale of liquors in Morrisville, Wake county.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Brown of Yadkin, a bill to amend chapter 233, laws of 1876-'77;

By Mr. Carter of Buncombe, a bill to enlarge the powers of Justices of the Supreme Court in vacation;

By Mr. Cooke, a bill concerning the fees of solicitors;

By Mr. Cooke, a bill to prescribe the punishment for attempts to commit capital felonies.

The morning hour having expired,

On motion of Mr. Blaisdell,

H. B. 749, a bill for the relief of John H. Cox, sheriff of Perquimans county, is put on its second reading and passes, and goes to its third reading.

Mr. Lewis moves to refer the bill to the committee on Propositions and Grievances, and the question being put, no quorum votes. The question is again put and the question to refer is carried.

On motion of Mr. York,

H. B. 657, a bill supplementary to acts farming out convicts in this State, is put on its second reading.

The amendments proposed by the committee are adopted.

Mr. York offers the following additional amendment:

Amend section 1, line 9, after the word "railroad," by inserting "or where the State is given a first lien for such work."

Amend section 1, after words "railroad," in line 14, by inserting "or at the option of the President and Board of Directors of any such road, the said railroad shall pay a sum of not less than twelve, nor more than twenty-five dollars in cash per annum, *per capita*, for such convict labor."

The amendment is adopted; and the bill passes its second reading.

Mr. York moves to suspend the rules to put the bill on its third reading; and the House refuses to suspend the rules.

Mr. Davis of Catawba, moves to make

H. B. 286, a bill to incorporate the Lincoln and Catawba Railroad Company, the special order for Wednesday, the 26th inst., at 11 o'lock, A. M.; and it is so ordered by the House.

On motion of Mr. Cooke,

S. R. 436, H. R. 165, a resolution in regard to the Raleigh National Bank, is put on its readings and passes, and is ordered to be enrolled for ratification.

On motion of Mr. Coffield,

S. B. 307, H. B. 547, a bill to make Upper and Lower Little Rivers a lawful fence, is put on its third reading.

The amendments proposed by the committee are adopted, and

Mr. Coffield offers the following additional amendment, to come in after section 2:

Sec. 3. The people living inside of the boundary above provided for shall not allow their stock to run inside of said boundary; and any one violating the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction, be fined or imprisoned at the discretion of the court.

The amendment is adopted; and the bill so amended passes its third reading by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Amis, Angier, Ardrey, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carson, Cary, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Dimsdale, Ellison, Ewing, Foard, Forbes, Foster, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Johnston, Lamb, Leach, Lindsay, Lowry, Meares, Melson, Miller, Moore, Orchard, Osborne, Pettipher, Powers, Rawley, Reynolds, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Venable, White, Wimberly, Woodhouse, York, and Young—73.

Nays—Messrs. Carter of Warren, Newell, and Waddell—3.

On motion of Mr. Chadwick,

H. B. 580, a bill regulating the size of fish barrels, is put on its several readings.

Mr. Meares offers the following amendment, which is accepted:

Amend by striking out in section 1 "fourteen inches" and insert "thirteen inches across the head;" strike out "twenty-six inches" and insert "twenty-five inches length of staves."

And the bill so amended passes its readings and is or-

dered to be engrossed and transmitted to the Senate for concurrence.

On motion of Mr. Brown of Mecklenburg,

The Calendar for the remainder of the day is placed at the disposal of the Speaker.

The Speaker places before the House the report of the committee of Conference on

S. B. 61, a bill to regulate the fees of jailers; the report is adopted and the bill ordered to be enrolled for ratification; and a message is sent to the Ssnate to inform that body of the action of this House.

THE CALENDAR

is taken up.

S. B. 297, a bill to prohibit the carrying of concealed weapons, is taken up on its second reading.

Mr. Vaughan moves that

H. B. 191, a bill to amend chapter 101, laws of 1876-'77, be taken up as a substitute.

The Speaker rules that this can only be done by unanimous consent. Consent is given; and

H. B. 191, is taken up.

On motion of Mr. Cooke,

H. B. 191 is made the special order for to-morrow at half-past 11 o'clock A. M.

On motion of Mr. Huffstetler,

H. B. 525, a bill to incorporate the town of Lowell, in Gaston county, is referred back to the committee on Corporations.

S. B. 43, H. B. 297, a bill to punish the seduction of women.

Mr. Jones moves to lay the bill on the table; on that motion Mr. Clarke demands the ayes and nays. The call is sustained and a vote is had with the following result:

Ayes—Messrs. Amis, Ardrey, Atkinson, Battle, Bernard,

Bonner, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Cobb, Colwell, Davis of Haywood, Davis of Madison, Dimsdale, Ellison, Ewing, Foard, Foy, Gatling, Harrell, Hewett, Hobbs, Huffstetler, Jones, Leach, Newell, Orchard, Pettipher, Reynolds, Richardson of Wake, Scott, Smith, Venable, White, Wimberly, Woodhouse, York, and Young—42.

Nays—Messrs. Angier, Bateman, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Brown of Yadkin, Buchan, Burroughs, Clarke, Click, Coffield, Cooke, Council, Davis of Catawba, Dunn, Forbes, Foster, Goldston, Horton, Johnson, Lamb, Lewis, Lindsay, Lockhart, Lowry, Meares, Melson, Miller, Moore, Osborne, Powers, Rawley, Ritchey, Roberson, Taylor, Turner, Vaughan, and Waddell—42.

The Speaker casts his vote in the negative, and the motion to table fails.

Upon the passage of the bill,

Mr. Cooke demands the previous question.

The call is sustained and the main question is ordered.

The question is on the minority report, which is adopted.

Under notices previously given, action is had on various amendments, to-wit:

By Mr. Ellison,

"*Provided*, that if any man so accused may, on or before trial, marry such woman, further proceedings shall be quashed at the cost of the defendant."

And the amendment is accepted.

By Mr. Carey,

"*Provided*, the same penalty shall apply to the woman when proven to have sworn falsely, before any court having jurisdiction to try and determine such cases."

And on a division the amendment is adopted; ayes 33, nays 32.

By Mr. White, strike out "promise of marriage," which is rejected.

By Mr. Scott,

"*Provided*, the woman shall make complaint before some justice of the peace within 60 days after the alleged seduction."

Which, on a division, is lost. Ayes 27; nays 41.

By Mr. Cale,

"*Provided*, that women over forty-five years of age be debarred from the benefits of this act."

Which is rejected.

The bill then passes its second reading on a division, by a vote of 44 ayes; nays 32.

Mr. Vaughan moves to put the bill on its third reading, and the House refuses to suspend the rules by a vote of ayes 51, nays 31, not two-thirds voting in the affirmative.

H. B. 255, a bill for the relief of land owners, where lands have been sold to the State for taxes, is taken up.

The question is put on the adoption of the substitute proposed by the committee, which is adopted; and the bill so substituted passes its several readings, and

On motion of Mr. York, is transmitted to the Senate without engrossment.

H. B. 411, a bill to prevent the reckless destruction of fish in the various water courses of the State, is taken up on its several readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Lowry,

S. B. 358, H. B. 747, a bill to amend the charter of the

town of Winston, is recommitted to the committee on Corporations.

H. B. 695, a bill to provide for the collection of taxes against the property of any corporation or person in this State, or doing business in the State, whether the said corporation or property be in the hands of a receiver or not, passes its several readings, and is ordered to be engrossed and transmitted to the Senate for concurrence; and also

H. B. 696, a bill to authorize a history of North Carolina for use in the common schools.

S. B. 25, H. B. 170, a bill to make slander of women indictable, is put on its readings.

The question is on the amendment of the committee, which is adopted, and the bill, as amended, passed its second reading.

And the bill is put on its third reading.

Mr. Cobb offers the following amendment, which is rejected :

Amend by inserting, "not to exceed three years in the State prison."

Mr. Jones moves to lay the bill on the table, and, on a divison, the House refuses to table by a vote of ayes 38, nays 44.

The question is then put on the bill on its third reading, and, on a division, it passes by a vote of ayes 49, nays 32, and is ordered to be sent to the Senate with engrossed amendments.

Mr. Jones moves to reconsider the vote by which the bill passed its third reading.

Mr. Brown of Mecklenburg, moves to lay that motion on the table, whicb is adopted.

S. B. 26, a bill to punish the abduction of children, is put on its passage.

Mr. Dunn offers the following amendment, which is rejected:

"Amend by striking out 14 and inserting 16."

Mr. Lutterloh offers the following, which is rejected:

"*Provided*, said child is a female."

And the bill passes its several readings and is ordered to be sent to the Senate with engrossed amendments.

S. B. 170, a bill to regulate the degrees of kinship within which persons in this State may not lawfully marry, is put on its readings and passes, and is ordered to be enrolled for ratification.

S. B. 54, a bill to amend an act to establish courts inferior to the supreme court, to be styled inferior courts, on motion of Mr. Blocker, is laid on the table.

H. R. 143, a resolution to develop the agricultural and other material interests of North Carolina, is put on its adoption.

Mr. Lindsay offers the following amendment, which is rejected:

Amend by inserting "at expense of the Agricultural Department."

And the resolution passes and is ordered to be sent to the Senate without engrossment.

On motion of Mr. Ardrey,

H. B. 623, a bill to amend chapter 150, laws of 1876–'77, is taken up, passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 35, a bill in regard to practice in criminal cases, on motion of Mr. Armstrong is laid on the table.

S. B. 39, a bill in relation to judgments on appeal from justices of the peace, passes its several readings and is ordered to be enrolled for ratification.

S. R. 296, a bill to provide for the better proof of deeds executed beyond the State, passes its several readings and is ordered to be enrolled for ratification.

S. B. 16, a bill providing for the exemption of certain personal property from sale under execution, is put on its readings.

Mr. Jones moves to adjourn.

Upon which motion, Mr. Brown of Mecklenburg demands the ayes and nays.

The call is sustained, and the House refuses to adjourn by the following vote:

Ayes—Messrs. Amis, Angier, Battle, Bernard, Berry, Bingham, Blaisdell, Blalock, Brown of Yadkin, Buchan, Cale, Carter of Warren, Cary, Chadwick, Cobb, Council, Davis of Haywood, Deans, Etheridge, Gatling, Hewett, Jones, Leach, Leatherwood, Mebane, Moore, Newell, Osborne, Paxton, Pettipher, Reid of Macon, Reynolds, Richardson of Wake, Scott, Smith, Waddell, White, Wimberly, Woodhouse, and Young—40.

Nays—Messrs. Anderson, Ardrey, Armstrong, Bateman, Bird, Bizzell, Blocker, Brown of Mecklenburg, Bruce, Bryson, Clarke, Click, Coffield, Colwell, Cooke, Davis of Catawba, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Foard, Foster, Foy, Goldston, Harrell, Hines, Hobbs, Holt, Huffstetler, Johnson, Lamb, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Melson, Miller, Orchard, Powers, Rawley, Richardson of Columbus, Ritchey, Taylor, Turner, Vaughan, Wheeler, and York—52.

The question on the bill is resumed, and it is put on its second reading and passes.

A motion to put it on its third reading is made.

Mr. Jones moves to adjourn.

Which, on a division, is carried by a vote of ayes 45, nays 42; and

S. B. 16 comes up at the evening session as the unfinished business.

EVENING SESSION.

MONDAY, Feb. 24th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

By consent,

Mr. Jones, from the committee on Corporations, reports on

H. B. 525, a bill to incorporate the town of Lowell, in Gaston county, with a substitute for the same, the passage of which is recommended; on

H. B. 761, a bill to re-enact and amend chapter 63 of private laws of 1872–'73, recommending its passage; and on

H. B. 762, a bill for the better government of the town of Warsaw, in Duplin county, recommending that the bill do not pass.

On motion of Mr. Brown of Mecklenburg,

S. B. 69, a bill in regard to salaries and fees, is re-referred to the committee on Salaries and Fees.

The unfinished business, being

S. B. 16, a bill to provide for the exemption of certain personal property, &c., is announced, but gives way to

THE SPECIAL ORDER,

being

H. B. 374, a bill to establish a normal school at Trinity College and Davidson College, on its second reading.

Mr. Buchan offers the following amendment:

"That a normal school is hereby established at Goldsboro, Wayne county, for the professional training of white young men and women under the control of the county board of education and county commissioners; and that five hundred dollars annually for years 1879 and 1880 be and

the same is hereby appropriated to defray the expenses of said school."

Mr. Taylor moves to postpone the further present consideration of the bill until Thursday evening next at half-past seven o'clock.

The question is put on the motion to postpone and it is rejected.

After discussion, Mr. Mebane moves to lay the bill on the table. On that motion Mr. English demands the ayes and nays. The call is sustained and the bill is tabled by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Bernard, Bird, Bizzell, Blaisdell, Blalock, Brown of Yadkin, Bruce, Bryson, Burroughs, Carter of Yancey, Carroll, Carson, Davis of Haywood, Deans, Dimsdale, Dixon, Ferrell, Foard, Forbes, Foy, Gatling, Goldston, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Orchard, Osborne, Paxton, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Taylor, Turner, Vaughan, Wheeler, Woodhouse, York, and Young—56.

Nays—Messrs. Ardrey, Armstrong, Bateman, Battle, Berry, Bingham, Blocker, Bonner, Brown of Mecklenburg, Buchan, Cale, Carter of Warren, Cary, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Dunn, Ellison, English, Etheridge, Ewing, Foster, Henderson, Hobbs, Horton, Johnson, Lockhart, Lowry, Newell, Pettipher, Rawley, Reid of Macon, Reynolds, Venable, Waddell, and Wimberly—41.

By consent,

Mr. Taylor, from the committee on Internal Improvements, reports favorably on

H. B. 107, an act to amend chapter 88 of private acts of the General Assembly passed at the session of 1874–'75, en-

titled an act to incorporate the Fayetteville, Goldsboro and Harnett Railway Company, recommending its passage.

H. B. 408, a bill to incorporate the town of Hickory, in the county of Catawba, is put on its second reading.

The reading of the bill being dispensed with,

Mr. Davis of Catawba, offers the following amendment, to come in as section 20:

"Sec. 20. That the commissioners shall have power from time to time to open out any new streets within the limits of said corporation, by paying the owners through whose lands the said streets run the damages, if there be any: *Provided*, That if the said commissioners and the said owners of said land cannot agree as to the price of the same, it shall be left to three disinterested persons to be selected by the parties, and if either fail upon notice to select, the other party may select two, who shall select a third and assess the damages: *Provided*, that either party being dissatisfied, may, by giving bond for the payment of costs, appeal to the superior court."

The amendment is adopted, and the bill passes its second reading by the followiug vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carson, Cary, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dunn, Ellison, Etheridge, Ewing, Foard, Foster, Foy, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Meares, Mebane, Melson, Miller, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Rey-

nolds, Richardson of Wake, Smith, Taylor, Turner, Vaughan, Wheeler, Wimberly, Woodhouse, and York—83.

Nays—Mr. Lutterloh—1.

H. B. 689, a bill to alter and amend the charter of the Snow Hill, Greenville and Goldsboro Railroad, is put on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carson, Cary, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foy, Goldston, Grant, Harrell, Hewett, Hines, Hobbs, Huffstetler, Jones, Johnston, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Newell, Orchard, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Wheeler, Wimberly, Woodhouse, and York—88.

Nays—None.

Mr. Blaisdell moves to adjourn, and on a division, the motion prevails by a vote of ayes 42, nays 35, and the House adjourns until to-morrow at 10 o'clock A. M.

FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, Feb. 25th, 1879.

The House meets at half-past ten o'clock, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is read and approved.

INTRODUCTION OF PETITIONS.

The following is introduced and referred to the committee on the election of Justices of the Peace:

By Mr. Lewis, a memorial from citizens of Warren county, in relation to the appointment of magistrates.

The following to the committee on Agriculture:

By Mr. Davis of Catawba, a petition of citizens of Catawba, asking for the repeal of the present stock law.

The following to the committee on Propositions and Grievances:

By Mr. Covington, a petition from sundry citizens of Union county, asking the prohibition of the sale of spirituous liquors within two miles of Mill Grove M. E. church in Union county.

The following to the committee on Fish Interest:

By Mr. Roberson, a petition from 150 citizens of Martin county, asking for lay days on Albemarle Sound and its tributaries.

REPORTS OF COMMITTEES.

Mr. English, from the committee on Education, reports favorably on

S. B. 489, H. B. 730, bills to authorize the county of Madison to pay the claims of certain school teachers; on

S B. 205, H. B. 725, a bill to authorize the board of education for Johnston county to pay the orders made on the treasurer by township trustees to school teachers prior to the adoption of the school law of 1876–'77.

Mr. Click, from the committee on Counties, Cities, Towns and Townships, reports favorably on

S. B. 365, H. B. 744, a bill to amend the charter of the town of Edenton; and favorably, with amendment, on

H. B. 715, a bill to provide for the removal of the county seat of Polk county; and unfavorably on

H. B. 716, a bill to change the county line of Yancey and Mitchell counties; and on

S. B. 519, H. B. 745, a bill to establish a new county to be called Scotland.

Mr. Taylor, from the committee on Internal Improvements, reports favorably, with amendments, on

H. B. 645, a bill to amend chapter 106, laws of 1876–'77, in regard to the speedy completion of the Western North Carolina Railroad; and unfavorably on

H. B. 721, a bill to farm out persons convicted of criminal offences, in the counties of Pitt, Wayne, Greene, Wilson, Lenoir and Craven.

Mr. York, from the committee on Fish Interest, reports favorably on

H. B. 711, a bill to protect fish in Sandy Marsh, Madison county; on

H. B. 688, a bill to prevent the obstruction of fish up Trent river; on

H. B. 710, a bill to amend chapter 152, laws of 1871-'72, relating to the destruction of fish in Black river and Six Runs, in Sampson and other counties; and favorably, with amendment, on

H. B. 613, a bill to prevent the fishing for shad with drift nets from the mouth of the Cape Fear river to the Bladen county line.

Mr. Foard, from the committee on the Judiciary, reports favorably on

H. B. 247, a bill to amend the charter of the town of Laurinburg, Richmond county.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

H. B. 766, a bill authorizing the commissioners of Lincoln county to levy a special tax; on

H. B. 754, a bill to facilitate the navigation of the streams of this State; on

H. B. 785, a bill to amend the laws of 1876-'77, chapter 260, section 1, relating to the sale of liquor in Morrisville, Wake county; and favorably, with amendment, on

H. B. 472, a bill to prevent the felling of timber in the waters of Neuse and Trent rivers, and in all the rivers and creeks of the counties of Craven, Jones, Lenoir, Greene, Onslow, Pamlico, Carteret, Roberson and Pitt; and on

H. B. 512, a bill to repeal chapter 143, laws of 1872-'73, and chapter 63, laws of 1874-'75, in regard to the boundary line of Granville and Franklin counties, recommending the adoption of an accompanying substitute therefor; also a similar report on

H. B. 749, a bill for the relief of John H. Cox, sheriff of Perquimans county.

Mr. Gatling, from the committee on Finance, reports unfavorably on

H. R. 182, a resolution to pay witnesses.

Mr. Cobb, from the committee on County Government, reports unfavorably on

H. B. 41, a bill to amend an act to establish county governments, ratified 27th day of February, 1877; on

H. B. 22, a bill to repeal chapter 141, laws of 1876–'77, entitled an act to establish county governments; on

H. B. 418, a bill to amend section 2, chapter 161, laws of 1876–'77, in relation to county government; on

H. B. 493, a bill to allow the qualified voters of Polk county to elect five county commissioners, and three justices of the peace in each township; and on

H. B. 319, a bill to amend chapter 68, laws of 1876–'77. The committee recommends its reference to the committee on the Judiciary.

Mr. Jones, from the committee on Corporations, reports favorably, with amendment, on

H. B. 764, a bill to incorporate the Lawrence Manufacturing Company, Gaston county.

The committee on Enrolled Bills reports as correctly enrolled:

An act defining the jurisdiction of judges of the superior courts as to granting injunctions and restraining orders and the appointment of receivers;

A resolution in favor of the Engrossing and Enrolling Clerks of this General Assembly;

An act to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail;

An act to authorize the county commissioners of Lenoir county to levy a special tax;

An act to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same;

An act to amend chapter 105, private laws of 1876-'77;

An act to change the name of the county site of Alleghany county, and to incorporate the town of Sparta;

An act to prevent the felling of trees in Jonathan's Creek, in the county of Haywood;

An act to prohibit live stock from running at large in Iredell county;

An act to incorporate the town of Burgaw, in Pender county;

A resolution in favor of the North Carolina memorial of arms in honor of Gen. Geo. Washington;

An act to elect a road surveyor for Watauga county.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills, amendments, &c., to have been correctly engrossed, and are transmitted to the Senate for concurrence:

H. B. 695, a bill to be entitled an act for the collecting of taxes against the property of corporations;

H. B. 580, a bill to be entitled an act to regulate the size of fish packages;

H. B. 184, a bill to be entitled an act to amend the charter of the town of Fayetteville, and to appoint a finance committee;

H. B. 411, a bill to be entitled an act to prevent the reckless destruction of fish in the various water courses of this State;

H. B. 163, a bill to be entitled an act to create a sinking fund;

H. B. 699, a bill to be entitled an act supplemental to an act authorizing the working of convicts on the Ore Knob and Mt. Airy Railroad, the Chester and Lenoir and the Caldwell and Watauga Railroads;

Engrossed amendments to

S. B. 25, H. B. 170, a bill to be entitled an act to make slander of women indictable;

Engrossed amendments to

S. B. 307, H. B. 507, a bill to be entitled an act to make Upper and Lower Little rivers, in Harnett county, a lawful fence, and for other purposes.

INTRODUCTION OF BILLS.

By Mr. Carter of Buncombe, a bill for the relief of jurors in Buncombe county; and

By the committee on the Judiciary, a bill to provide for purchasing lands sold under execution by the several boards of county commissioners in the State; both of which are placed on the Calendar.

By Mr. Richardson of Columbus, a bill to create a board of internal improvements and to define its powers;

By Mr. Richardson of Columbus, a bill to provide for draining swamp lands in the counties of Columbus and Robeson; both of which are referred to the committee on Internal Improvements.

The following bills are introduced and referred to the committee on the Judiciary:

By Mr. Davis of Catawba, a bill to amend chapter 116, Battle's Revisal;

By Mr. Brown of Yadkin, a bill in reference to qualifications of jurors; and

By Mr. Angier, a bill to amend section 156, chapter 32, Battle's Revisal.

By Mr. Scott, a bill to repeal chapter 242, in regard to the criminal court of New Hanover county, which is referred to the committee on Retrenchment and Reform.

By Mr. Goldston, a bill to incorporate the North Carolina and Virginia Christian Conference;

By Mr. Carter of Yancey, a bill to incorporate Concord church, Yancey county; both of which are referred to the committee on Corporations.

By Mr. Ferrell, a bill to improve the public roads of Wake county, which is referred to the committee on Public Roads.

The morning hour having expired, the Speaker,

Mr. York in the Chair, announced

THE SPECIAL ORDER,

being

H. B. 502, a bill concerning salaries and fees.

The question is on the amendments offered by the Committee.

Mr. Coffield moves that the bill be laid on the table. On this motion Mr. Amis demands the ayes and nays. The call is sustained and the bill is laid on the table by the following vote:

Ayes—Messrs. Anderson, Ardrey, Bateman, Battle, Bird, Blaisdell, Blalock, Brown of Mecklenburg, Bruce, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Cary, Clarke, Cobb, Coffield, Council, Covington, Davis of Madison, Deans, Dunn, Eilison, Etheridge Ferrell, Forbes, Foster, Foy, Grant, Hewett, Hobbs, Holt, Horton, Jones,

Johnson, Leatherwood, Lewis, Lorkhart, Lowry, Melson, Newell, Orchard, Osborne, Paxton, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Scott, Venable, Waddell Wheeler, Wimberly, Woodhouse, Wynne, and Young—57.

Nays—Messrs. Amis, Angier, Armstrong, Atkinson, Barringer, Bernard, Berry, Bingham, Bizzell, Blocker, Bost, Brown of Yadkin, Buchan, Carroll, Christmas, Click, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Dimsdale, English, Ewing, Foard, Gatling, Goldston, Harrell, Henderson, Hines, Huffstetler, Lamb, Leach, Lindsay, Lutterloh, Meares, Miller, Moore, Rawly, Richardson of Columbus, Smith, Taylor, Turner, and York—44.

Mr. Clarke moves to reconsider the vote by which this bill was tabled.

Mr. ..... moved to lay that motion on the table, and the motion to table prevails.

Mr. York moves to take up

H. R. 192, a resolution in regard to the business of this House,

And, on a division, the House refuses to take up the resolution.

THE SPECIAL ORDER

for the hour, being

S. B. 297, a bill to prohibit the carrying of concealed weapons, is announced.

The reading of the bill is suspended, and

H. B 325, a bill relating to the same subject, is read for information.

On motion of Mr. Cooke, both S. B. 297 and H. B. 191, a bill relating to the same subject, and previously offered as a substitute and before the House in connection with S. B. 297, are both passed over informally, and H. B. 325 taken up as a substitute for both.

The question is then on H. B. 325.

Mr. Davis of Haywood, offers the following amendment, to come in as section 4:

Section 4. Any person being off his own premises, and having upon his person any deadly weapon ddscribed in section 1, such person shall be *prima facia* evidence of the concealment thereof."

And the amendment is adopted.

Mr. Colwell moves to strike out the third section; which motion fails.

Mr. Etheridge offers an amendment, which the Speaker rules out as not being germane to the matter before the House.

Mr. Henderson moves to amend by inserting:

"That it shall be unlawful for any person to manufacture any of said arms in the State," and the amendment is rejected.

On the passage of the bill Mr. Cooke demands the previous question.

The call is sustained and the main question is ordered.

Before the question is put an amendment offered by Mr. Taylor to insert the word "metallic" before "knuckles" is accepted; and on a division, the bill passes its second reading.

Mr. Cooke moves to put the bill on its third reading, and the rules are suspended.

On the passage of the bill, Mr. Cooke demands the ayes and nays.

The call is sustained and the main question is ordered.

On the passage of the bill, Mr. Holt demands the ayes and nays.

The call is sustained and the bill passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Bernard, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ewing, Ferrell, Forbes, Foster, Foy, Gatling, Goldston, Harrell, Hewitt, Hines, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lowry, Meares, Mebane, Miller, Moore, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Venable, York, and Young—80.

Nays—Messrs. Anderson, Battle, Berry, Bonner, Bryson, Carter of Warren, Carroll, Dunn, Etheridge, Foard, Grant, Henderson, Hobbs, Holt, Jones, Leach, Lockhart, Lutterloh, Melson, Newell, Reynolds, Scott, Waddell, Wheeler, Wimberly, and Woodhouse—27.

Mr. Speaker announces that the hour has arrived fixed by the General Assembly to go into the election of magistrates.

Mr. Scott moves to suspend consideration of the election to take up H. R. 118.

The Speaker rules that the order fixing the hour of election, being a joint one, it is not in the power of the House to set it aside for the consideration of other matter.

A MESSAGE IS RECEIVED FROM THE SENATE

announcing that that body is ready to proceed to the election of magistrates, and had appointed Messrs. Dillard and Bull to superintend said election on the part of the Senate.

A message is transmitted to the Senate informing that body that the House is ready to proceed to the election of

magistrates and has appointed Messrs. Lewis and Clarke as tellers on the part of the House.

(Subsequently Mr. Blaisdell is substituted for Mr. Clarke.)

Mr. Lewis, chairman of the House branch of the committee on the election of Justices of the Peace, sends forward the nominations of the committee, viz:

REPORT OF THE COMMITTEE ON NOMINATIONS FOR JUSTICES OF THE PEACE.

The Joint Committee, to whom was referred the nominations for justices of the peace for the several counties of the State, to fill the vacancies of such justices of the peace whose terms expire in August, 1879, having performed their duty, respectfully recommend that the following persons be elected by this General Assembly as justices of the peace to fill such vacancies as will occur in August, 1879, in the several townships in the various counties in the State.

The Committee would further report that new townships have been created since the last election of justices of the peace in the counties of Bladen, Buncombe, Davidson, Harnett, Haywood, Orange and Yancey, for which we make nominations.

Also, there are newly incorporated towns in several townships, for which nominations are made in the report.

L. R. WADDELL, Chm'n,
D. P. McEACHERN,
NEILL S. STEWART,
E. E. LYON,
A. H. MERRITT,
Senate Branch.

GEO. N. LEWIS, Chm'n.
L. R. CARROLL,
T. D. BRYSON,
D. C. MOORE,
D. F. COVINGTON,
I. S. BLAISDELL,
House Branch.

ALAMANCE COUNTY.

Patterson township—Roderick Kimery.
Cobel township—Frederick Graves.
Boone Station township—Joseph P. Albright.
Morton township—Asa Isley.
Faucett's township—Frederick U. Blanchard.
Pleasant Grove township—Charles G. Maynard.
Albright's township—John R Stockard.
Newlin's township—Thomas Stafford.
Thompson's township—William Stafford.
Melville's township—William H Lashley.
Graham township—Thomas C Foust.

ALEXANDER COUNTY.

Miller's township—T A Hudson.
Sharp's township—W R Sloan.
Gwaltney's township—Fielding McLain.
Sugar Loaf township—D M Baker.
Little River township—Amon Bumgarner.
Ellendale township—W S Teague.
Wittenburg's township—W W Stafford.
Taylorsville township—Thomas Little.

ALLEGHANY COUNTY.

Cherry Lane township—W B Kennedy.
Glade Creek township—W H Joins.
Gap Civil township—A J Waggoner.
Cranberry township—Josiah Caudell.
Prather's Creek township—Claude Cox.
Piney Creek township—John S Parsons.

ANSON COUNTY.

Wadesboro township—John A Boggan.

Lilesville township—W T Williams.
Morvin township—John J Dunlap.
Gulledge's township—James F Burch.
White's Store township—James T Lowrey.
Lanesboro township—Isaac M Williams.
Burnsville township—James D Hyatt.
Ansonville township—James W Hendley.

ASHE COUNTY.

Jefferson township—Martin Hardin.
Old Field township—Jacob B Hauck.
Pine Swamp township—Granville Osborne.
Peak Creek township—W B Carson.
Chestnut Hill township—J C Plumer.
Hilton's township—Johnson Perkins.
Piney Creek township—Jefferson Baldwin.
Horse Creek township—Reevis Osborne.
Stag Creek township—Gideon Weaver.
Laurel township—John Grayveal, (Andy's son.)
North Fork township—C W Osborne.

BEAUFORT COUNTY.

Pantego township—Ira H Topping.
Bath township—Mike Jones.
Long Acre township—Nelson Waters.
Washington township—David Tayloe.
Chockowinity township—John Moore.
Richland township—William Cowpen.

BERTIE COUNTY.

Windsor township—Lewis B Sutton.
Merry Hill township—Joseph E Nichols.
Mitchell's township—A J Dunning.
Roxabel township—Stephen A Norfleet.

Woodville township—Watson Lewis.
White's township—George W Cobb.
Snakebite township—Jesse H Bunch.
Coleraine township—E E Etheridge.

BLADEN COUNTY.

Elizabeth township—William B. Hester.
Bethel township—George F Allen.
Hawler township—T D Love, Jr.
Bladenboro township—Isaac A Davis.
Abbottsburg township—John H Thompson.
Brown Marsh township—James M Pearce.
White's Creek township—John R Rackley.
Carver's Creek township—Thomas O Brown.
French's Creek township—Alston Allen.
Colley township—Daniel Patterson.
Turnbull township—Joseph M Melvin.
White Oak township—Charles T Davis.

Cypress Creek township—For two years, William R Cromarty; for four years, Murdock M Smith; for six years, Charles P Parker.

Lake Creek township—For two years, W J Shaw; for four years, T F Pridgeon; for six years, George Henry.

Cypress Creek and Lake Creek townships are new townships created since the last election of magistrates.

BRUNSWICK COUNTY.

North West township—Francis M Moore.
Town Creek township—Augustus W Reiger.
Smithville township—L A Galloway.
Lickwood Folly township—Franklin Galloway.
Shallotte township—S J Stanley.
Waccamaw township—W Scott Millican.

BUNCOMBE COUNTY.

Avery's Creek township, No. 1—William G Springs.
Township No. 2—Alfred Starns.
Township No. 3—W H Green.
Township No. 4—J M Green.
Township No. 5—J W Wells.
Township No. 6—Foster Johnson.
Township No. 7—L A Lanning.
Township No. 8—Cornelius Clark.
Township No. 9—N A Penland.
Township No. 10—John G Chambers.
Township No. 11—William C Eller.
Township No. 12—T C Morgan.
Township No. 13, Black Mountain—For two years, G W Fortune; for four years, W Y Porter; for six years, John Stepp.

No. 13, or Black Mountain township, is a new township created by this General Assembly.

BURKE COUNTY.

Silver Creek township—Arthur Walker.
Linville township—Joseph B Hunter.
Upper Creek township—N P. Beck.
Quaker Meadow township—W A Bearfield.
Lower Creek township—John Sims.
Lovelady township—Jacob Bollinger.
Icard township—David Cook.
Lower Fork township—D D Mull.
Upper Fork township—Jerre Smith.
Morganton township—T. M. Asberry.
Brindletown township—For two years, Harvey Fisher; for four years, Jasper Yelton; for six years, J C Mills.

Brindletown township is a new township created since last election of magistrates.

CABARRUS COUNTY.

Township No. 1—F A Archibald.
Township No. 2—Theopholus Cannon.
Township No. 3—E G Irwin.
Township No. 4—P A Carroll.
Township No. 5—W H Blackwelder.
Township No. 6—Lawrence Klutts.
Township No. 7—John H. Moose.
Township No. 8—Jacob Ludwick.
Township No. 9—W M Widenhouse.
Township No. 10—E P Boger.
Township No. 11—N G White.
Township No. 12—W A Patterson.

CALDWELL COUNTY.

Lenoir township—B M Tuttle.
Lower Creek township—J G Ballew.
Lovelady township—Joseph Sherrill.
Little River township—Thomas C Sherrill.
King's Creek township—Thomas Livingston.
Buffalo township—S L Patterson.
Patterson township—Robert Holloway.
Globe township—Lot Estes.
John's River township—Joseph H Dixon.

CAMDEN COUNTY.

Shiloh township—G C Barco.
Court House township—E D Foard.
South Mills township—Frank Spence.

CARTERET COUNTY.

White Oak township No. 1—B T Taylor.

Morehead township No. 2—M F Arendell.
Newport township No. 3—D S Quinn.
Beaufort township No. 4—William F Howland.
Straits township No. 5—Thomas M Gillikin.
Smyrna township No. 6—Nathan Davis.
Hunting Quarters township No. 7—Wallace Willis.
Portsmouth township No. 8—Thomas Robinson.

CASWELL COUNTY.

Milton township—W T Farley.
Dan River township—W G Graves.
Pelham township—W H Gatewood.
Locust Hill township—John S Blackwell.
Yanceyville township—Monroe Oliver.
Leesburg township—James P Williams.
High Tower township—John A Johnston.
Anderson's township—J M Simpson.
Stoney Creek township—W Maynard.

CATAWBA COUNTY.

Newton township—G W Rabb.
Cline's township—Nelson E Sigmon.
Hamilton township—W H Trott.
Mountain Creek township—Powell Sherrill.
Caldwell's township—R England.
Jacob's Fork township—John A Whitener.
Baudy's township—D M Myant.
Hickory township—J W Mouser.

CHATHAM COUNTY.

Albright's township—William O Kirkman.
Baldwin's township—J B West.
Bear Creek township—S W Brewer.
Cape Fear township—J E Bryan.

Centre township—B G Womble.
Hadley's township—Oliver Clark.
Matthew's township—O A Hanner.
Hickory Mountain township—James N Green.
Gulf township—John F. Ausley.
Oakland township—A W Wicker.
New Hope township—J K Gibson.
Williams' township—Atlas J Riggsbee.

CHEROKEE COUNTY.

Murphy township—R D McCombs.
Valley Town township—J W Hyatt.
Beaver Dam township—H H Davidson.
Shoal Creek township—Jasper Barnett.
Hot House township—J R Hyatt.
Notla township—Alfred Arp.

CHOWAN COUNTY.

Edenton township—William E Bond.
Yeopin township—William J Webb.
Middle township—Elisha J Burk.
Upper township—Jacob U Hudson.

CLAY COUNTY.

Haysville township—T H Hancock.
Brass Town township—J S Bell.
Hiawassee township—Bryant Curtis.
Tusquitte township—W P Moore.
Shooting Creek township—Julius Killion.

CLEAVELAND COUNTY.

Township No. 1—J T M D Helton.
Township No. 2—D S Lovelace.

Township No. 3—John R Logan.
Township No. 4—A V Falls.
Township No. 5—T M A Otis.
Township No. 6—Walter Hardin.
Township No. 7—D A T Hamrick.
Township No. 8—Richard Hoard.
Township No. 9—J J Hardin.
Township No. 10—Zimri Falls.
Township No. 11—J F Whisnant.

COLUMBUS COUNTY.

Ransom township—Z F Murrell.
Lake Waccamaw township—J A Clark.
Bogue township—Thomas Barefoot.
Welch's township—Elijah Creech.
Whiteville township—J W Powell.
Western Prong township—B Brown.
Tatum's township—Labon Williamson.
Fair Bluff township—Dempsey Coleman.
William's township—A Tooms.
Bug Hill township—J J C Gore.
Lee's township—J J Long.

CRAVEN COUNTY.

Township No. 1—Richard S Chapman.
Township No. 2—Gilbert Arthur.
Township No. 5—Edward A Caraway.
Township No. 6—James H Hunter.
Township No. 7—Oliver H Perry.
Township No. 8—Edmund S Street.
Township No. 9—James W. Riddle.

CUMBERLAND COUNTY.

Seventy-First township—John A McPherson.

Rock Fish township—Colin McRae.
Gray's Creek township—J B Carver.
Quwhiffle township—D A McDiamond.
Cross Creek township—D G McRae.
Little River township—Dugald McLauchlin.
Cedar Creek township—G A Downing.
Flea Hill township—K McC Williams.
Black River township—J T Williams.
Beaver Dam township—Morris Hall.
Carver's Creek township—W R King.

CURRITUCK COUNTY.

Moyock township—John Barnard, Jr.
Crawford township—Virginius L Pitts.
Fruitville township—Elias Williams.
Poplar Branch township—James P Williams.
Atlantic township—Starke Harris.

DARE COUNTY.

Hatteras township—E H Riggs.
Kennekeet and Chickamacomeco township—Zion F Scarborough.
Nag's Head and Roanoke township—J H Tillett.
Croatan and Stumpy Point township—Thomas R Mann.
East Lake township—Thomas Owens.

DAVIDSON COUNTY.

Lexington township—James Smith.
Cotton Grove township—John H Miller.
Boone township—Henry Broadway.
Tyro township—J H Koonce.
Yadkin township—C C Byerly.
Clemmonsville township—A W Walker.
Arcadia township—J H Miller.

Bethany or Midway township—B F Beckerdite.
Abbott's Creek township—W W Pickard.
Thomasville township—Isham Regan.
Conrad Hill or Imbler's township—H C Hedrick.
Silver Hill township—Abraham Cross.
Emmon's township—John A Peacock.
Jackson Hill township—Lewis S Suratt.
Alleghany township—John G Suratt.
Healing's Springs township—Thomas Daniel.
Yadkin Bend township—For two years, C C Byerly; for four years, J H Walser; for six years, G W Hege.
Yadkin Bend is a new township and entitled to three magistrates.

DAVIE COUNTY.

Mocksville township—M R Chaffin.
Jerusalem township—J A Kelly.
Fulton township—John H Hanes.
Farmington township—James M Johnson.
Clarksville township—H E Holman.
Calahu township—Winfield S. Smoot.

DUPLIN COUNTY.

Keenansville township—B F Pearsall.
Limestone township—T I Armstrong.
Cypress Creek township—B G Larkins.
Island Creek township—R Teachy.
Rock Fish township—D S Williams.
Warsaw township—D G Morrisey.
Faison's township—M A Lewis.
Wolf Creek township—B H Walker.
Albertson's township—B F Grady.
Dale's township—E B Herring.
Smith's township—John G Smith.

Magnolia township—Abner Robinson.
Incorporated town of Magnolia—O J Carroll.

EDGECOMBE COUNTY.

Township No. 1—Richard M Johnson.
Township No. 2—John A Little.
Township No. 3—James W Howard.
Township No. 4—Louis B Knight.
Township No. 5—H Lafayette Leggett.
Township No. 6—James W Draughorn.
Township No. 7—David H Barlow.
Township No. 8—John A Davis.
Townsnip No. 9—Amos Wooten.
Township No. 10—Frank Malston.
Township No. 11—W H Knight.
Township No. 12—Charles S Kettlebrew.
Township No. 13—Patrick H Edge.
Township No. 14—Jesse W Williams.

FRANKLIN COUNTY.

Louisburg township—J A May.
Franklinton township—W P Morris.
Freeman's township—Thomas J Crocker.
Haysville township—R G Winne.
Gold Mine township—A M Hamlette.
Cedar Rock township—A Thomas.
Cypress Creek township—James M White.
Dunn's township—W K Phillips.
Harris township—B F Wilder.
Sandy Creek township—N H Murphy.

FORSYTHE COUNTY.

Winston township—William Barrow.

South Fork township—John E Faw.
Old Town township—S N McGee.
Broad Bay township—F A Tucker.
Abbott's Creek township—J H Chamberlain.
Middle Fork township—John Beeson.
Kernersville township—J H Morris.
Below's Creek township—A S Ham.
Salem Chapel township—Thomas M Marshall.
Bethania township—A P Styers.
Old Richmond township—E L Reed.
Vienna township—E C Dull.
Lewisville township—William Hauser.

GASTON COUNTY.

Cherryville township—Martin H Shuford.
Dallas township—Caleb Paysour.
River Bend township—John C Fite.
South Point township—John F Leeper.
Crowder's Mt. township—William Pearson.

GATES COUNTY

Gatesville township—E J Brady.
Hall township—Elisha Parker.
Reynoldson township—H H Willy.
Haslett township—William H Riddick.
Holly Grove township—William H Palson.
Hunter's Mill township—John W Hofler.
Mintonsville township—Nathan O Ward.

GRAHAM COUNTY.

Cheoaih township—N G. Phillips.
Stecoaih township—Philip Crisp.

GRANVILLE COUNTY.

Henderson township—J E Burroughs.
Kittrell's township—Erasmus A Powell.
Brassfield township—J Y Moss.
Dutchville township—E E Lyon.
Walnut Grove township—Benjamin F Hester.
Sassafras Fork township—Thomas Pittard.
Townsville township—John E Haithcock.
Oxford township—John Blacknall.
Oak Hill township—M S Daniel.
Tally Ho township—Arthur S Carrington.
Fishing Creek township—Elijah C Montague.

GREENE COUNTY.

Snow Hill township—Levi J H Mewborne.
Hookerton township—James S Smith.
Speight's Bridge township—Bennet Fields, jr.
Old's township—W P Ormand.
Bulldose township—Benjamin W. Best.

GUILFORD COUNTY.

Washington township—Alexander Tickel.
Rock Creek township—A G Clapp.
Greene township—Zimri M Foust.
Madison township—Robert C Rankin.
Jefferson township—William F Thom.
Clay township—Addison Coble.
Monroe township—J M McMickel.
Gilmer township—John A Pritchett.
Fentress township—John M Fentress.
Centre Grove township—Thomas Moore.
Morehead township—Arrington Dilworth.
Sumner township—J S Murrow.

Bruce's township—J T Rhodes.
Friendship township—A H Lindsay.
Jamestown township—W. G. Sapp.
Deep River township—Jason Thompson.
High Point township—Henry Clapp.
Oak Ridge township—Walter Benbow.

HALIFAX COUNTY.

Halifax township—R H Shaw.
Caledonia township—T W Fenner.
Palmyra township—E W Hyman.
Roseneath township—R H Purrington.
Conoconarie township—W M Shields.
Weldon township—W A Daniel.
Enfield township—James H Whitaker.
Littleton township—W A Johnston.
Butterwood township—E A Thorne.
Brinkleysville township—F M Parker.
Faucett township—R B Brickell.

HARNETT COUNTY.

Johnsonville township—A C Buie.
Barbecue township—James Cameron.
Upper River township—J S Harrington.
Lillington township—J R Marsh.
Averysboro township—Joel Barefoot.
Grove township—S R Wilson.
Neill's Creek township—W J Long.
Hector Creek township—Ben Gardner.
Buck Horne township—J S Hoslt.
Stewart's Creek township—J T McLean.
Black River township—For 2 years, J C Williams; for 4 years, J P Cutts; for 6 years, T Matthews.

Black River is a new township, created since the last election of magistrates.

HAYWOOD COUNTY.

Waynesville township No. 1—H. B. Platt.
Township No. 2—Henry Ivester.
Township No. 3—T B Edmundson.
Township No. 4—Joseph Christopher.
Township No. 5—R. M. Ferguson.
Township No. 6—R W Noland.
Township No. 7—Daniel Cook.
Township No. 8—J. M. Rice.
Township No. 9—A C Cagle.
Township No. 10, Iron Duff—For 2 years, J M White, jr; for 4 years, E L Medford; for 6 years, J M Crawford.

No. 10, or Iron Duff township, was created by this General Assembly.

HENDERSON COUNTY.

Hendersonville township—A M McCarson.
Edneyville township—R A Freeman.
Blue Ridge township—L R Edney.
Green River township—Edward Freeman.
Clear Creek township—A J McMinn.
Hooper Creek township—A E Fletcher.
Crab Creek township—George Sentill.
Mills River township—A E Posey.

HERTFORD COUNTY.

Winton township—Charles N Pruden.
Harrellsville township—James P Howell.
St. John's township—Julian S. Moore.
Manning's Neck township—S B. Winburn.
Murphreysboro township—W T Brown.

HYDE COUNTY.

Ocracoke township—Daniel Folsom.
Lake Landing township—T M Davis.
Swan Quarter township—Samuel Jones.
Currituck township—Daniel Burgess.
Fairfield township—Will Jones.
Engelhard (incorporated town)—R. B. Sanderson.

IREDELL COUNTY.

Eagle Mills' township: Lewis Tuberville.
Union Grove township: W G Templeton.
New Hope township: J D Wellbourne.
Turnersburg township: Benjamin Turner.
Olin township: Thomas J. Allison.
Sharpesburg township: A A Hines.
Cool Springs township: G F Shepherd.
Bethany township: J A Austin.
Concord township: Abner Morrison.
Chambersburg township: J A White, jr.
Statesville township: John Bradley.
Shiloh township: Peter Little.
Barringer township: J W Sanders.
Falls Town township: A P. Clark.
Coddle Creek township: J S Harris.
Davidson township: J M Shook.

JACKSON COUNTY

Cashier's Valley township: S N Allison.
Hamburg township: J P Stewart.
Canada or Saul's Creek township: J A Galaway.
Cary Fork township: R H Stephens.
Fork of the River township: W M Hooper.
Cullowhee township: R L Watson.

Scott's Creek township: Samuel H Bryson.
Webster C. H. township: E P Stillwell.
Savannah township: B H Jones.
Barker's Creek township: J B Raby.
Qualla Town township: T K Welch.

JOHNSTON COUNTY.

Clayton township: John L Banks.
Pleasant Grove township: Joseph Ogburn.
Elevation township: Carroll Langdon.
Meadow township: D G Johnson.
Bentonsville township: Ransom Lee.
Ingram's township: N T Cole.
Smithfield township: John R Creech.
Princeton township: L P Creech.
Beulah township: B R Hinnant.
O'Neal's township: William H O'Neal.
Wilder township: James A Hocutt.
Selma township: W J Barrow.

JONES COUNTY.

White Oak township: Lewis Brynum.
Pollocksville township: Henry C Foscue.
Trenton township: Edward M Foscue.
Cypress Creek township: Calvin Koonce.
Tuckahoe township: John W Edwards.
Beaver's Creek township: Lewis H Haskins.

LINCOLN COUNTY.

North Brook township: S J Weaver.
Howard's Creek township: Phillip Carpenter.
Lincolnton township: W T Shipp.
Ironton township: R S Rhinehardt.

Catawba township: Freeman Kelly.
Town of Lincolnton: H W Burton.

LENOIR COUNTY.

Sand Hill township: S T Croslan.
Woodington township: Jesse Jackson, jr.
Trent township: A W Whitfield.
Pink Hill township: George Turner.
Mosely Hall township: S J Sutton.
Lenoir Institute township: M B Creech.
Falling Creek township: J W Dailey.
Vance township: J M Mewbern.
Contentnea Neck township: H H Moore.
Kinston township: S H Rountree.

MACON COUNTY.

Franklin township: F Poindexter.
Mill Shoal township: Jesse S Elmore.
Ellijay township: William H Higden.
Sugar Fork township: I N Kerner.
Clear Creek township: J W Wilson.
Smith's Bridge township: L. F. Howard.
Cartoogechage township: Albert Siler.
Nantihala township: John D Howard.
Burningtown township: Posey C Wilds.
Cowee township: Cal A Hall.

MADISON COUNTY.

Marshal township: C G Rector.
Pine Creek township: Adolphus Payne.
Little Sandy Mush township: John M Carver.
Spring Creek township: Jasper Ebbs.
Warm Spring township: Peter Scism.

Big Laurel township: James E Rice.
Shelton Laurel township: J S Tweed.
Gabriel Creek township: L C Huff.
Middle Fork township: W W Ponder.
West Fork township: W M Jervis.
Upper Laurel township: William A Ray.

MARTIN COUNTY.

Hamilton township: W H Watson.
Williamston township: S M Parrington.
Jonesville township: D R Daniel.

MECKLENBURG COUNTY.

Charlotte township: F A McNinch.
Clear Creek township: T A Jerome.
Crab Orchard township: W H Taylor.
Berryhill township: L M McAlister.
Sharon township: Oswald Alexander.
Pineville township: J M Boyce.
Providence township: W M Matthews.
Steele Creek township: F Lee Erwin.
Dewese township: W D Mayes.
Long Creek township: Thomas Glugas.
Pan Creek township: James M Sloan.
Lemley's township: R A Torrence.
Morning Star township: S B Smith.
Mallard's Creek township: J B Thomason.

McDOWELL COUNTY.

Jamestown township: B F Brackett.
Higgins' township: A C Gardner.
Dysartsville township: W J Allen.
Dobson township: I S Stacey.

North Cove township: Robert H McCall.
Marion township: Henry Presnall.
Old Fort township: E H Grant.
Crooked Creek township: R M Burgin.
Broad River township: Jesse Burgin.
Sugar Hill township: Alford Clayton.

MITCHELL COUNTY.

Bakersville township: T L Randolph.
Snow Creek township: S T Hensley.
Grassy Creek township: H L Brinkley.
Toe River township: W H Ollis.
Linville township: F P Slagle.
Little Creek township: J G Burleyson.
Red Hill township: Henry Masters.
Harrill's township: Green Y Buchan.
Hollow Poplar township: Simeon J Moore.

MONTGOMERY COUNTY.

Troy township: Neill McInnis.
Mt. Gilead township: D C McAuley.
Pee Dee township: W G DeBerry.
Rocky Spring township: D I Ewing.
Little River township: E C Martin.
Edward's township: John F Cotten.
Hollingsworth township: Martin Gillis.
Uwharrie township: Littleton Dennis.
Cheek's township: R T Rush.
Ophir township: W C Davis.
Hill township: M M Leach.

MOORE COUNTY.

Carthage township: Daniel Hannon.
Ben Salem township: L B Currie.

Seffield's township: Thomas Brown.
Ritter's township: J W Seawell.
Jonesboro township: Absalom Kelly.
Greenwood township: William P Cameron.
Thugard's township: D S Byrd.
Pocket township: A M Wicker.
Sand Hill township: J B McDonald.
Mineral Springs township: A M Black.

NASH COUNTY.

Castalia township: Thomas J Brasswell, jr.
Griffin township: James V Bunting.
Whitaker's township: T P Brasswell.
Stoney Creek township: John E Lindsay.
Nashville township: L W Hedgepeth.
Cooper's township: Willis Eason.
Manning's township: S C Edwards.
Ferrell's township: William H Griffin.
Bailey's township: W B Winbourne.
Jackson township: A B Williams.
Rocky Mount township: D W Winstead.

NEW HANOVER COUNTY.

Wilmington township: John D Taylor.
Federal Point township: J P Montgomery.
Masonboro township: John A Farrow.
Harnett township: Gerritt Walker.
Cape Fear township: Iredell Johnston.

NORTHAMPTON COUNTY.

Gaston township: W E Bradley.
Occoneechee township: W H Summerell.
Jackson township: Isaac Peele.
Roanoke township: William Grant.

Rich Square township: Henry Copeland.
Wiccacanoe township: W J Rogers.
Kirby township: J H Edwards.
Seaboard township: R T Stephenson.
Town of Jackson: William Barrow.

ONSLOW COUNTY.

Richland township: D A Sandlin.
Jacksonville township: J H Mashbourne.
Stump Sound township: N N McMillan.
Swansboro township: J A Freshwater.
White Oak township: Noble Somersill.

ORANGE COUNTY.

Hillsboro township: Calvin E Smith.
Little River township: Samuel H. Jordan.
Mangum township: Alvis K Umstead.
Durham township: William W Guess.
Patterson township: Samuel H Turrentine.
Chapel Hill township: Charles W Johnson.
Bingham township: D M Durham.
Cedar Grove township: William W Allison.
Lebanon township: For two years, James G Latta; for four years, S W Holman; for six years, R G Russell.

Lebanon is a new township and the present justices were appointed by the Governor. Their terms expire August, 1879.

PAMLICO COUNTY.

Township No. 1: David L Benison.
Township No. 2: Stephen B Lane.
Township No. 3: John D McCotter.
Township No. 4: Fred A Spain, sr.
Township No. 5: R B Hardison.

PASQUOTANK COUNTY.

Elizabeth City township: M B Culpepper.
Newland township: James White.
Providence township: David Daily.
Nixonton township: S J Halstead.
Mt. Hermon township: W J Munden.
Salem township: J S Wilcox.

PENDER COUNTY.

Holden township: Rufus W Collins.
Union township: Stephen C Filyaw.
Columbus township: G F Walker.
Caswell township: J S Pridgeon.
Lincoln township: W W Larkin.
Rocky Point township: Thomas A McClendon.
Holly township: R T Williams.
Grant township: Newnan Atkinson.
Incorporated town of Burgaw: W E Duncan.

PERQUIMANS COUNTY.

Hertford township: William Gunn.
Bethel township: H H Griffin.
Belvidere township: Robert Newby.
Parkville township: Elijah Peel.
New Hope township: John A Johnson.

PERSON COUNTY.

Cunningham's township: Samuel A Barnett.
Olive Hill township: W G Winstead.
Bushy Fork township: J L Brooks.
Flat River township: William A Barton.
Roxboro township: W C Satterfield.

Woodall township: John A Barnett.
Holloway's township: T J Montague.
Allensville township: T A Yancey.
Mt. Tirzah township: G G Moore.

PITT COUNTY.

Swift Creek township: Slade Chapman.
Chicor township: John Galloway, Jr.
Greenville township: W A Hollowell.
Belvoir township: B F Bryan.
Pactolus township: J R Congleton.
Falkland township: W R Williams.
Farmville township: James S Norman.
Contentnea township: R P Collins.

POLK COUNTY.

Columbia township: James H Armes.
White Oak township: George J Mills.
Tryon township: C P Williams.
Cooper's Gap township: Lewis Cowart.
Green's Creek township: William Shields.

RANDOLPH COUNTY.

Trinity township: J R Frazier.
New Market township: B F Steed.
New Salem township: W D Siler.
Liberty township: W P Fox.
Columbus township: Henry Craven.
Franklinsville township: O R Cox.
Asheboro township: R M Free.
Tabernacle township: A B Finch.
Back Creek township: J T Bostick.
Concord township: J B Horney.
Cedar Grove township: R M Moffitt.
Grant township: H T Bray.

Pleasant Grove township: H T Moffitt.
Brower township: John Brady.
Richland township: W D Kenig.
Union township: George Auman.
New Hope township: P C Brewer.

RICHMOND COUNTY.

Rockingham township: John Shortridge.
Stewartsville township: James M Graham.
Laurel Hill township: William Johnston.
Williamson's township: John W Snead.
Mineral Springs township: Daniel W Gibson.
Black Jack township: Alfred B Covington.
Wolf Pitt township: Hampton S Wade.
Beaver Dam township: John C Terry.
Steele's township: James T Bradley.

ROBESON COUNTY.

Alfordsville township: Evander Alford.
Blue Springs township: Thomas McBryde.
Back Swamp township: D C McIntyre.
Britt's township: H F Pittman.
Howellsville township: W Regan.
Lumberton township: Dr W A Dick.
Lumber Bridge township: S J Cobb.
St. Paul township: Lochlin Shaw.
Sterling's Mills township: R R Barnes.
Smith's township: A T McCallum.
Shoe Heel township: W B Harker.
Thompson's township: Needham B Thompson.
Wishart's township: W Wishart.
Burnt Swamp township: D A Buie.
White House township: Colin Williams.

ROWAN COUNTY.

Salisbury township: John A Hedrick.
Franklin township: William R Fraley.
Unity township: Richard Culbertson.
Scotch Irish township: Jesse Powless.
Mt. Ulla township: Phi. Alexander.
Atwell township: Joseph F McLean.
Locke township: J F Robinson.
Littaker township: Isaac S Linker.
Gold Hill township: Adam C Earnhart.
Morgan's township: Wiley Bean.
Providence township: George L Lyerly.

ROCKINGHAM COUNTY.

Leaksville township: W R Strong.
Stoneville township: Nathaniel Scales.
Madison township: James A Vernon.
Huntsville township: A T Neal.
New Bethel township: Thomas Cummings.
Simpsonville township: W P Hopkins.
Wentworth township: Nathan Mobley.
Oregon township: James Hutchinson.
Williamsborough township: Ezekiel Paschal.

RUTHERFORD COUNTY.

Rutherfordton township: Joseph H Smith.
Green Hill township: M K Linch.
Union township: J Y McEntire.
Sulphur Spring's township: John L McDowell.
High Shoals township: J J Camp.
Colfax township: J B McDaniel.
Cool Spring's township: William Martin.
Duncan's Creek township: W J Witheron.
Golden Valley township: J M Mode.

Logan's Store township: H B Wilson.
Camp Grove township: S K Cannon.
Morgan township: T P Hemphill.
Chimney Rock township: W H Henderson.

SAMPSON COUNTY.

Clinton township: L C Hubbard.
Taylor's Bridge township: V J McArthur.
Lisbon township: A M Blackburn.
Franklin township: W B Murphy.
Turkey township: Walter J Moore.
Piney Grove township: M W Clifton.
Westbrook township: Ransom West.
Mingo township: N B Barefoot.
Hall's township: H H Cobb.
Dismal township: James D Malloy.
Little Coharie township: Amos Bullard.
Hunnycutt's township: Jas. H Turlington.
McDaniel's township: James M Smith.

STANLY COUNTY.

Township No. 1: W S Smith.
Township No. 2: J J Freeman.
Township No. 3: John R Ivey.
Township No. 4: Coleman Lefler.
Township No. 5: E R Herrin.
Township No. 6: J E Hartsell.
Township No. 7: F G Turner.
Township No. 8: J E Maulden.

STOKES COUNTY.

Meadow township: James M Fulton.
Sauratown township: W W Withers.
Beaver Island township: J D Dalton.
Snow Creek township: John Martin.

Peter's Creek township: W V Shelton.
Quaker Gap township: M T Smith.
Yadkin township: J H Stramel.

SURRY COUNTY.

Dobson township: T B Hamlin.
Mt. Airy township: Robert S Gilmer.
Westfield township: William D Haymore.
Pilot township: John C Dodson.
Rockford township: John G Burriss.
Marsh township: F F Anthony.
Hotel township: John A Park.
Bryant township: Steven Venable.
Franklin township: W Y Tucker.
Stewart's Creek township: Samuel P Freeman.
Eldora township: B Badget.

SWAIN COUNTY.

Oconolufty township: W R Grant.
Charleston township: J C Cogdill.
Nantihala township: Thomas P Sawyer.
Toney's Creek township: Daniel Lester.

TRANSYLVANIA COUNTY.

Boyd's township: W O Miller.
Little River township: S W Hamilton.
Davidson township: J J Shipman.
Dunn's Rock township: B F Aiken.
Cathey's Creek township: G F Justice.
East Fork township: L D Gillespie.
Gloucester township: W P Galloway.
Hogback township: C J Henderson.

TYRRELL COUNTY.

Columbia township: Austin Perisher.
Scuppernong township: Samuel M Alexander.

Gum Neck township: J W Swain.
Alligator township: B F Duncan.
South Fork township: S C Patrick.

UNION COUNTY.

Monroe township: Jonathan Trull.
Buford township: Zacharia Yarborough.
Jackson township: Alexander McIlwain.
Sandy Ridge township: E H Harkness.
Goose Creek township: Thomas H Benton.
New Salem township: J W Hamilton.
Lane's Creek township: Vachel T Cheers.

WAKE COUNTY.

Barton's Creek township: M H Ellen.
St. Mary's township: W N Snelling.
Buckhorn township: L B Seagraves.
Carey township: J P H Adams.
Cedar Fork township: Hiram Weatherspoon.
House's Creek township: J D Hayes.
Little River township: P P Pace.
Mark's Creek township: H A Rhodes.
Middle Creek township: D C Adams.
New Light township: Chas H Ray.
Neuse township: J J Dunn.
Oak Grove township: W H Gully.
Panther Branch township: W D. Crowder.
St. Matthew's township: N W Pool.
Swift Creek township: Thomas Woodall.
Wake Forest township: W C Brewer.
White Oak township: G G Maynard.
Raleigh township: Zach T Broughton.

WARREN COUNTY.

River township: Samuel D King.
Haw River township: B P Davis.
Smith's Creek township: Robert F Rose.
Nut Bush township: Thomas P Paschal.
Sandy Creek township: John W Allen.
Shoco township: George R Clements.
Fishing Creek township: William T Perry.
Judkins township: Samuel W Dowtin.
Warrenton township: Joseph E Drake.
Six Pound township: Horace Palmer.

WASHINGTON COUNTY.

Plymouth township: Lewis C Marriner.
Lee's Mill township: Thomas G Blount.
Skinnersville township: Yorach M Woodley.
Scuppernong township: Charles L Pettigrew.

WATAUGA COUNTY.

Boon township: Nathan Horton.
Ball Mountain township: John J L Church.
Blue Ridge township: A W Penley.
Blowing Rock township: W W Sherrill.
Beaver Dam township: Marion Wilson.
Cove Creek township: John McGuire.
Elk Creek township: Isham T Calloway.
Laurel Creek township: Miles A Presnell.
Meet Camp township: Joel Norris.
Stoney Fork township: John N Idol.
Watauga township: J W McCleard.
Shoaneehan township: George W Brown.

WAYNE COUNTY.

Goldsboro township: Nathan Boyett.

Stony Creek township: N J Smith.
Nahunta township: W E Fountain.
Great Swamp township: J M Perkins.
Pikeville township: J T Dees.
Saulston township: W H Speight,
New Hope township: John W Isler.
Indian Spring's township: John A Kornegay.
Brogden township: D E Stevens.
Grantham township: George M Bridgers.
Fork township: Hillory Hastings.

WILKES COUNTY.

Edward's township: Joseph Edwards.
Trap Hill township: James McCan.
Walnut Grove township: W H Handy.
Rock Creek township: Smith Johnson.
Mulberry township: P R McGrady.
Union township: Thomas Whittington.
Reddy River township: J A Crysle.
Lewis' Fork township: J W Church.
Job's Cabin township: Harrison Church.
Elk township: H H Miller.
Beaver Creek township: Pickens Carlton.
Wilkesboro township: T J Gilreath.
Summer's township: Welmuth Jarvis.
Fishing Creek township: T B James.
Lovelace township: G J Thornburg.
Brushy Mountain township: E E Hendren.
New Castle township: R W Wooten.
Antioch township: B P Johnston.

WILSON COUNTY.

Wilson township: F W Barnes.
Gardener's township: Thadeus W Pender.

Stauntonburg township: J H Applewhite.
Taylor's township: B E Thompson.
Black Creek township: A G Person.
Cross Roads township: T A Thompson.
Spring Hill township: William Watson.
Saratoga township: S H Tyson.
Old Field's township: Joseph Farmer.
Toisnot township: J H Barclay.

YADKIN COUNTY.

Boonville township: James H Flemming.
Knob's township: Benjamin Sparks.
Buck Shoals township: J F Couch.
Deep Creek township: John B Holcomb.
Liberty township: Thomas Williams.
Forbush township: Alvis Cornelius.
Little Yadkin township: Joseph Williams.
East Bend township: T F Matthews.
Falls' Creek township: J L Shugard.

YANCEY COUNTY.

Burnsville township: Samuel M Bennett.
Cane River township: Melton P Hampton.
Egypt township: B S Hensley.
Ramseytown township: C R Byrd.
Jack's Creek township: Dobson Deyton.
Brush Creek township: Green B Woody.
Crab Tree township: David H Silver.
South Toe River township: John D Patton.
Pensacola township: Samuel F McPeters.
Green monntain township: For two years, A J Barnett; for four years, Jere Hughes; for six years, John Hughes.

Green Mountain township is a new township created since the last election of magistrates.

Mr. Clarke gives notice of a protest on the part of the minority, against the nominations presented by the majority of the committee.

Mr. Carroll offers an amendment to correct certain omissions in the nominations presented for Burke county.

The Speaker rules that such amendments cannot be considered, but that additional nominations can be subsequently made to supply defects.

The question is then on the list presented by the committee.

Mr. Carter of Warren, offers the following additional nominations for the county of Warren, a substitute for the list of magistrates in Warren county, to-wit: River township, Alexander Wright; Six Pound township, Horace Palmer; Haw Tree township, W. A. Boyd; Smith Creek township, R. T. Rose. To fill vacancies: Haywood Wright, Nut Bush township; Thomas Paschall, Sandy Creek township; Wilson Hicks, Shocco township; Eugene Thorne, Fishing Creek township; Douglas Williams, Judkin's township; Richard Boyd, Warrenton township; Mansfield Thornton,

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Mr. Dimsdale offers the following names for Polk county: Columbus township, T. L. Smith; Tryon township, Berry Thompson; Mill Spring, J. R. Turner; Green's Creek, T. B. Gurley; Cooper's Gap, John Jackson.

Mr. Cary offers the following names for Caswell county: Yanceyville township, Albert Bigelow; Stony Creek township, G. T. F. Gannoway; Dan River township, Thomas S. Harrison.

Mr. Clarke moves to amend by substituting for the names proposed by the committee in the following townships in Craven county, the following: In township No 2, Willis D. Pettipher, R.; and in township No. 5, Jesse Brooks, R.

Mr. Dixon offers the following changes for Greene county: substitute for the names in the majority report of the committee for Speight's Bridge and Snow Hill townships, Greene

county, the following: Speight's Bridge, James Bernard; Snow Hill township, John D. Grimsly.

Mr. Brown of Yadkin, moves to substitute the following names for Yadkin county: Boonville, J. C. Crummell, R.; Knob's, A. D. Carter, D.; Buck Shoals, L. C. Johnson, D.; Deep Creek, John R. Reese, R.; Liberty, S. C. Davis, D.; Faubush, F. M. Lakey, D.; Little Yadkin, P. C. Jones, D.; East Bend, John S. Kittle, R.; Fall Creek, C. A. Adams, R.

Mr. Dunn moves to amend by substituting for the names reported by the committee in Falling Creek, Mosely Hall, Contentnea and Woodington townships, Lenoir county, the following: Falling Creek township, William Worley, Jr.; Mosely Hall, F. B. Hall; Contentnea, W. J. Polk; Woodington, W. A. Croom.

Mr. Foy moves to substitute for the names presented by the committee: White Oak township, William Mattocks; Pollocksville, John Pearce; Trenton, William M. Daniel; Cypress Creek, William E. Shiver; Tuckahoe, John W. Eubanks; Beaver Creek, Ed. Page.

Mr. Amis proposes to add to the list for Granville county the name of W. S. Daniel, Oak Hill township.

Mr. Clarke moves to amend the nominations for Surry county—instead of the names offered by the committee the following: Westfield township, Lee Jessup, present incumbent, R.; Hotel township, R. C. Poole, R.; Stewart's Creek, Hasting Beaman.

Mr. Blocker moves to amend the list recommended for Cumberland county by substituting the following names in lieu of those presented by the committee: Rockfish township, John X. Smith; Cross Creek, S. A. Baldwin.

Mr. Venable moves to substitute for the nominations of the committee the following: Yadkin township, M. C. Dosset, D.; Meadow, H. R. Carroll, D.; Sauratown, F. P. McAnally, D.; Beaver Island, Dr. David Hicks, D.; Snow Creek, P. D. Watkins, R.; Peter's Creek, W. V. Shelton; Quaker Gap, Haywood Venable, R.

Mr. Lowry moves to substitute the following for the names reported by the committee: Abbott's Creek township, Forsythe county, John Chamberlain; Broad Bay, Augustus Locker; Below's Creek, Benton Linville; Bethania, Parmanious Soltz; Middle Fork, John Beason; Kernersville, Dr. John Morris; Lewisville, W. A. Harper; Winston, Charles Bretz; South Fork, Frank Brendle; Old Town, Timothy Boothe; Salem Chapel, Thomas Marshall; Vienna, William Goslin; Old Richmond, William Spainhour.

Mr. Henderson proposes to substitute for the names offered by the committee the following: Rockingham township, John A. McDonald; Wolf Pitt, George McKinnon; Beaver Dam, W. Currie.

Mr. Bird offers the following names in lieu of those presented by the committee: Edneyville, R. J. Brown; Green River, R. W. Pace; Mills' River, E. F. Case; Crab Creek, George Lentel; Blue Ridge, Thomas Blackwell; Clear Creek, A. J. McMin; Cooper's Creek, H. J. Lence.

Mr. Ferrell offers the following nominations for Wake county: New Light, John Pearce; Swift Creek, W. E. Pearce; Oak Grove, J. P. Chandler; Barton's Creek, R. A. Harrison; Wake Forest, T. C. Smith; Mark's Creek, M. G. Todd; St. Mary's, J. G. Andrews; St. Matthew's, C. W. Williams; Buckhorn, James Enniss.

Mr. Deans makes the following nominations for Wayne county: Grantham township, George M. Bridgers; Brogden, Giles Kornegay; Indian Springs, J. A. Kornegay; New Hope, J. F. Davis; Saulston, W. H. Speight; Nahunta, W. C. Fountain; Great Swamp, John H. Wiggs; Pikesville, W. R. Perkins; Stony Creek, Needham J. Smith; Fork, Hebry Hastings; Goldsboro, J. A. Washington.

Mr. Osborne makes the following nominations for Beaufort county: Pantego township, Augustus Latham, D.; Bath, W. B. Windley, D.; Long Acre, Horace W. Waters, R.; Washington township, William M. Cherry, R.; Chockowinity, Micajah W. Mixon, R.; Richland, W. P. Campen, R.

Mr. Osborne makes the following nominations for Pamlico county: Township No. 1, Barzilla Halton, D.; township No. 2, Frederick Alfred, R.; township No. 3, Eph. H. Riggs, D.; township No. 4, W. L. Barrett, D.; township No. 5, Robert R. Hardison, D.

Mr. Bateman makes the following nominations for Washington county: Lee's Mills township, Nathan A. Spruill.

Mr. Clarke makes the following nominations for Halifax county: Enfield township, J. T. Reynolds.

Mr. Norment makes the following nominations for Robeson county: Lumberton, E. R. Proctor; St. Paul's, Neill McNeill; Lumber Bridge, J. A. P. Connelly; Blue Spring, John Leach; Shoe Heel, Arthur George; Smith's, C. E. Barton; Burnt Swamp, E. L. Hays; Back Swamp, F. L. Nance; Alfordsville, J. G. McLean; Thompson's, J. B. Rowland; White House, John Hill; Sterling's Mills, Allen Waters; Britt's, Alexander Lawson; Howellsville, John G. Smith; Stancell's, Simeon McLean.

Mr. Hewitt makes the following nominations for Bladen county: Elizabeth, Thomas Pate; Bethel, R. M. Roberts; Hollow, Enoch Estes; Bladenburg, Simpson Edwards; Abbotsburg, Hayes Edwards; Brown Marsh, James Pearce; Carver's Creek, John Bright; French's Creek, A. Blizzard; Colley's, J. J. Sutton; Turnbull, J. C. Mullen; White Oak, C. Martin; Cypress Creek, Richard Smith; Lake, William McHarrell.

Mr. Hobbs makes the following nominations for Chowan county: Yorkshire township, Thomas Harriss; Edenton, Richard Clayton; Middle, Richard Elliot; Third, Jeptha A. Ward.

Mr. Davis of Madison, makes the following nominations in lieu of names presented by the committee: Spring Creek township, L. A. B. Duckett; Sandy Marsh, W. R. Trull.

Mr. Reynolds makes the following nominations for Halifax county: Caledonia township, J. A. White; Brinkleyville,

H. J. Hewlin; Butterwood, L. P. Shearin; Faucett's, W. T. McMarks; Halifax, John Branch.

Mr. Wimberly makes the following nominations for Edgecombe county: Township No. 1, F. D. Dancy; No. 2, F. A. Whitted; No. 6, R. C. Crenshaw; No. 7, C. W. Battle; No. 12, W. P Boddie.

Mr. Scott makes the following nominations for New Hanover county: Masonboro, John G. Wagner; Harnett, John A. Holt; Wilmington, Henry E. Scott.

Mr. Clarke puts in nomination the names coming first on the list of magistrates elected for each township, of each county, at the last General Assembly, being the session of 1876-'77, and the Clerk began the reading of said list, when the Speaker ruled the list as out of order as being part of the Journals of the last General Assembly. Mr. Clarke appeals from the decision of the Chair, and the House sustains the Chair.

On motion of Mr. Lewis, the House proceeds to vote with the following result, the form of the affirmative being to vote for the nominations as made by the committee:

Ayes—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Berry, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Haywood, Etheridge, Foard, Forbes, Foster, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Meares, Mebane, Melson, Miller, Moore, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Scott, Taylor, Turner, Vaughan, Venable, Wheeler, York, and Young—68.

Mr. Bingham votes for so much of the list as refers to Randolph county.

Mr. Cale votes for the whole list presented except as to what relates to Sampson county.

Mr. Gatling votes for the whole list except as relates to New Hope township in Perquimans county.

Mr. Horton votes only for the names sent up by himself for the county of Hertford.

Mr. Long votes for the list only so far as it relates to the county of Forsythe.

Mr. Norment votes only for the list sent up by himself relating to the county of Robeson.

Mr. Richardson of Columbus, inserts the name of Benj. Williams instead of Lewis Galloway.

Mr. Scott votes for the whole list except what relates to the county of New Hanover.

Mr. Venable votes for the whole list except one in Snow Creek township in Stokes county.

Mr. Woodhouse votes for the whole list except as relates to Perquimans county.

The tellers are directed to report to this House to-morrow the result of the election; and

On motion, the House adjourns till this evening at half-past seven o'clock.

Evening Session.

Tuesday, Feb. 25th, 1879.

The House meets at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

A MESSAGE FROM THE SENATE

is announced, transmitting engrossed Senate amendments to

H. B. 298, a bill to authorize the commissioners of Craven county to fund their debt and issue bonds for other purposes.

The question is put on concurrence, which is had; and the bill is ordered to be enrolled for ratification, and a message is sent to the Senate informing that body of the action of the House.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 148, a bill to incorporate the Pungo and Alligator River Canal Company;

S. B. 580, a bill to fund the floating debt of Edgecombe;

S. B. 363, a bill to amend the charter of the Charlotte and Taylorsville Railroad Company;

S. B. 583, a bill to amend chapter 96, section 5, of laws of 1876–'77, an act to incorporate the town of Denver in Lincoln county;

S. B. 423, a bill to incorporate the Grand Lodge of Good Templars in North Carolina; and

S. B. 567, a bill to amend an act entitled an act to prevent obstruction to navigation in the waters of Newport river, Carterett county, passed at the session of 1874-'75, and to amend chapter 108 of Battle's Revisal, entitled statutes, &c.

They are read the first time in this House, and

Senate Bills 148, 423 and 583 are referred to the committee on Corporations;

S. B. 363 to the committee on Corporations;

S. B. 567 to the committee on Propositions and Grievances; and

S. B. 580 to the committee on Finance.

MESSAGE FROM THE SENATE

is received, transmitting

S. B. 167, a bill to extend the charter of certain banks,

which is read the first time in this House and referred to the committee on Finance.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 426, a bill to incorporate the Farmer's Bank, of Milton, Caswell county, North Carolina; and

S. B 172, a bill to allow legatees and distributees to sue executors and distributors at any time.

They are read the first time and

S. B. 426 is referred to the committee on Banks and Currency; and

S. B. 172 to the committee on the Judiciary.

A MESSAGE FROM THE SENATE

is received, transmitting the report of the committee on the Calendar, with a proposition to print.

The report is read in this House and is, on motion, concurred in, and a message is sent to the Senate informing that body of the action of this House.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 568, a bill to authorize the commissioners of Onslow county to issue bonds and for other purposes, which is read the first time in this House and referred to the committee on Finanee.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 560, a bill to revive and carry out the tax list of Alamance county and authorize the collection of taxes due

said lists, which is read the first time in this House and referred to the committee on Finance.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 543, a bill to define the duties of sheriff performing the duties of county treasurer;

Engrossed amendment to

H. B. 201, a bill to amend chapter 38, private laws of 1873-'74.

On motion, the amendments of the Senate are concurred in, and the bill is ordered to be enrolled for ratification, and a message is sent to the Senate informing that body of the action of this House.

A MESSAGE FROM THE SENATE

is received, transmitting

S B. 450, a bill to compromise, commute and settle the State debt, which is read the first time in this House and placed on the Calendar; and on motion of Mr. Foard, is made the special order for Thursday, the 27th inst., at 11 A. M.

On motion of Mr. Powers,

H. B. 368, a bill to establish stock regulations in sections that may so elect, is taken up.

Mr. Powers submits an amendment which is adopted.

Mr. Norment offers an amendment.

Mr. Bost moves to postpone the consideration of the bill and make the bill the special order for Friday next, at 12 M., and it is so ordered by the House.

Mr. Bost moves to take up

S. B. 487, a bill to prevent live stock from running at large in Rowan, Davie and other counties; and the bill is taken up.

Mr. Holt moves to insert the county of Johnston, and Mr. Covington to insert the county of Union; both of which are accepted.

Mr. Vaughan moves to amend by inserting:

"That at the close of the last section before the ratifying clause, the following: *Provided*, that the provisions of this act shall not be construed to apply to persons driving stock to market," which is accepted.

Mr. Lockhart offers the following, which is accepted:

Add "Anson county, and in case this act shall be adopted by Anson county, the Pee Dee and Rocky Rivers shall be a lawful fence."

And the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ewing, Foard, Forbes, Foster, Gatling, Grant, Harrell, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Miller, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—81.

Nays—Messrs. Battle, Christmas, Dimsdale, Ferrell, Foy, Goldston, Hobbs, Melson, Pettipher, Scott, Turner, Venable, Waddell, and Wimberly—14.

Mr. Woodhouse, from the committee on Engrossed Bills, reported the following bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 696, a bill authorizing a History of North Carolina for the use of the common schools of the State.

On motion of Mr. Amis,

H. B. 468, a bill to amend an act incorporating the North Carolina Border Railroad Company, is put on its second reading.

Mr. Amis offers the following amendment:

Amend by adding the following section:

Section .... That as soon as the aforesaid company shall be organized and the sum of five per cent. of the capital paid into the treasury of said company, it shall be the duty of the President to make application to the Penitentiary Board for convicts to work on said road; and the Board of Directors of the Penitentiary shall, on such application of the President of said road, employ on said road, under the direction of authorities of said road, and under such guards as may be necessary, as many convicts as may be required by said road, not to exceed two hundred of said convicts, to be governed by and according to prison rules and regulations and under the control and supervision of a superintendent appointed by and subject to the Penitentiary Board: *Provided*, that the authorities of said road shall pay the hire of said superintendent, and guard, feed and clothe and properly care for the convicts, while so employed.

The amendment is adopted.

Mr. Vaughan offers the following amendment, which is accepted:

"That there shall be a net estimate made of the labor of the convicts, and the State shall have a first lien on said road for the value of the same."

And the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Christmas, Clarke, Click, Cobb, Colwell, Cooke, Council, Covington, Davis of Haywood, Davis of Madison, Deans, Dunn, Ellison, Etheridge, Ewing, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Wheeler, Wimberly, Woodhouse, York, and Young —93.

Mr. Blaisdell voted in the negative.

On motion of Mr. Covington, the Calendar is placed at the disposal of the Speaker for the remainder of the evening.

H. B. 758, a bill to incorporate Columbia Lodge, No. 132, I. O. G. T., is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. Henderson introduces a bill to appoint and settle a public ferry on the Great Pee Dee River. Referred to the committee on Propositions and Grievances.

By consent,

Mr. Scott introduces a bill to incorporate the Champion Compress Company, which is referred to the committee on Private Bills.

H. B. 753, a bill to repeal chapter 123, laws of 1866–'67,

is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 486, a bill to amend chapter 161, laws of 1876–'77, in relation to the probate of deeds, land conveyances and the privy examination of married women is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 581, a bill to authorize the commissioners of Macon county to levy a special tax, is taken up and passes its third reading by the following vote and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ellison, Forbes, Foy, Gatling, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Moore, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Vaughan, Venable, Wheeler, Wimberly, Woodhouse, York, and Young—83.

Nays—Messsrs. Dimsdale, Norment, and Waddell---3.

H. B. 408, a bill to incorporate the town of Hickory, Catawba county, is taken up on its third reading and passes by the following vote, and is sent to the Senate without engrossment:

Ayes—Messrs. Anderson, Angier, Ardrey, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe,

Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Covington, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foard, Forbes, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewitt, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Vaughan, Venable, Waddell, Wheeler, Wimberly, Woodhouse, and Young—91.

Nay—Mr. Newell—1.

H. B. 416, a bill for the protection of livery stable and inn keepers, is taken up.

The question recurs on the substitute, which is adopted, and the question recurs on the passage of the bill on its second reading.

On motion of Mr. Clarke, on a division, the whole matter is laid on the table.

H. B. 731, a bill to amend the charter of the town of Concord, and to increase the corporate limits, is taken up and passes its third reading by the following vote, and goes to the Senate without engrossment:

Ayes—Messrs. Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bryson, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Click, Cobb, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ellison, Ewing, Foard, Forbes, Foy, Goldston, Grant, Harrell, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Moore, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Richardson of

Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Vaughan, Wheeler, Wimberly, Woodhouse, and Young —73.

Nays—Messrs. Carter of Warren, Christmas, Council, Dimsdale, and Waddell—5.

H. B. 698, a bill to incorporate the town of Troy, Montgomery county, is taken up on its third reading and passes its reading by the following vote, and goes to the Senate without engrossment:

Ayes—Messrs. Ardrey, Armstrong, Barringer, Battle, Bernard, Bingham, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Covington, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Foard, Forbes, Foy, Goldston, Grant, Harrell, Hewett, Hines, Hobbs, Horton, Jones, Johnston, Leach, Leatherwood, Lowry, Lutterloh, Meares, Mebane, Melson, Moore, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Turner, Vaughan, Wheeler, Wimberly, Woodhouse, York, and Young—76.

H. B. 680, a bill to incorporate Bee Log Baptist Church, Yancey county, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 722, a bill to incorporate Stonewall Lodge No. 99, I. O. O. F., Monroe, Union county, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 161, H. B. 647, a bill to aid in the extension of the Atlantic, Tennessee & Ohio Railroad, is taken up.

Mr. Dimsdale moves to adjourn, which is lost.

The question recurs on the passage of the bill on its second reading, and it passes by the following vote:

Ayes—Messrs. Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bryson, Carter of Buncombe, Carter of Yancey, Carson, Clarke, Click, Cobb, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, Foard, Foy, Goldston, Harrell, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lowry, Lutterloh, Meares, Melson, Moore, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Wheeler, Wimberly, Woodhouse, York, and Young—63.

Nays—Messrs. Carter of Warren, Chadwick, Christmas, and Waddell—4.

H. B. 640, a bill to incorporate Yancey county High School, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Blaisdell moves to adjourn, which the House, on a division, refuses to do.

H. B. 759, a bill to establish cotton weighers for the town of Goldsboro, is taken up.

Mr. Wimberly moves to amend by inserting Tarboro, Rocky Mount, Whitakers' and Sparta, Edgecombe county, which is rejected.

Mr. Clarke moves to amend by inserting the city of New Berne, which is adopted.

Mr. Dunn moves to amend by including Kinston, Lenoir county, which is adopted.

The bill passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 681, a bill to incorporate Bald Creek Baptist church, Yancey county, is taken up; after the amendment of an enacting clause, it passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

The Speaker placed before the House

H. R. 174, a resolution to recover the State's property and indict certain parties for spoliation of the State.

Mr. Turner moves to make the resolution the special order, to follow the special order fixed for to-morrow at eleven o'clock.

Mr. Norment moves to refer the resolution to the committee on Propositions and Grievances.

Mr. Holt moves to lay the resolution on the table, and the motion being put, fails.

And the question then recurs on the motion to make it the special order for the time designated, which prevails.

Mr. Bingham moves to adjourn; and the House refuses to adjourn.

S. B. 484, a bill to incorporate the Chapel Hill Iron Mountain Company, is put on its several readings and passes, and is ordered to be enrolled for ratification.

S. B. 70, a bill to amend an act to allow Milton township, in the county of Caswell, to subscribe $15,000 in payment of stock in the Milton and Sutherlin Narrow Guage Railroad Company, and for other purposes, is taken up, passes and is ordered to be enrolled for ratification.

Mr. Foy moves to adjourn and the House refuses to adjourn.

H. B. 607, a bill to amend the private laws of 1871–'72, in chapter 46, section 38, sub-section 7, is put on its readings.

Mr. Lindsay moves to lay the bill on the table; but withdraws it to permit discussion.

Mr. Clarke renews the motion to table, and the motion prevails.

Mr. Ewing moves to adjourn, and the House refuses to adjourn.

S. B. 348, a bill to organize and incorporate the Christian Union, is put on its several readings, and passes and is ordered to be enrolled for ratification.

S. B. 483, a bill to incorporate the North Carolina Chem-

ical Works is put on its several readings and passes, and is ordered to be enrolled for ratification.

On motion the House adjourns until to-morrow morning at 10 o'clock.

FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, Feb. 26th, 1879.

The House meets this morning at half-past ten o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Watkins of the city.

The Journal of yesterday is partially read and stands as approved.

INTRODUCTION OF PETITIONS &C.

The following are introduced and referred to the committee on Agriculture, &c.:

By Mr. Speaker Moring,

Three petitions of citizens of Pasquotank county against the enactment of the "no fence law;"

By Mr. Battle,

A petition of citizens of Edgecombe county against a "no fence law;" and

By the same, a petition of the same on the same subject.

The following to the committee on Propositions and Grievances:

By Mr. Foster,

A petition of citizens of Ashe county, asking the passage of an act to prohibit the felling of timber in certain streams in Ashe county.

The following to the committee on Corporations:

By Mr. Brown of Mecklenburg,

A petition of citizens of Richmond, Anson and Montgomery counties, against the charter of a ferry across the Great Pee Dee River; and

By Mr. Leach,

Two petitions of citizens of Moore county, asking the incorporation of the town of Gold Region in said county.

REPORTS FROM COMMITTEES.

Mr. Taylor, from the committee on Internal Improvements, reports favorably on

H. B. 789, a bill to provide for draining of swamp lands in Columbus and Robeson counties with convict labor.

Mr. Bernard, from the committee on Counties, Cities, Towns and Townships, reports favorably on

H. B. 755, a bill to change the line between the counties of Ashe and Watauga.

Mr. Cobb, from the committee on Privileges and Elections, reports unfavorably on

H. B. 720, a bill to amend an act to regulate elections.

Mr. Holt, from the committee on Public Buildings and Grounds, reports favorably, with amendment, on

S. R. 109, H. R. 148, a resolution to provide for heating the Capitol.

Mr. Bost, from the committee on Propositions and Grievances, reports unfavorably on

H. B. 586, a bill to establish the county of Lee from parts of Cleaveland, Catawba, Burke and Lincoln counties.

Mr. Jones, from the committee on Corporations, reports favorably on

S. B. 583, H. B. 804, a bill to amend chapter 96, section 5, laws of 1876-'77, to incorporate the town of Denver, Lincoln county; on

S. B. 423, H. B. 803, a bill to incorporate the Grand Lodge of Good Templars of North Carolina; on

H. B. 794, a bill to incorporate the North Carolina and Virginia Christian Conference; on

H. B. 795, a bill to incorporate Concord Church, Yancey county; on

S. B. 567, H. B. 797, a bill to amend the act in reference to obstructions in Newport river, Carteret county, recommending its reference to the committee on Propositions and Grievances; and unfavorably on

H. B. 779, a bill to incorporate the Joint Stock Company of Bertie county.

Mr. Atkinson, from the committee on Retrenchment and Reform, reports favorably on

H. B. 756, a bill amendatory of an act to establish a Department of Agriculture, Immigration and Statistics, &c.

Mr. Lockhart, from the committee on the Judiciary, reports favorably on

H. B. 735, a bill to define false pretences.

Mr. Richardson of Columbus, from the committee on Finance, reports on

H. B. 591, a bill to prevent the sale of railroad and other corporation bonds at reduced rates, &c., recommending its reference to the committee on the Judiciary; and favorably, with amendment, on

H. B. 637, a bill to authorize Granville county to fund its debt.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 689, a bill to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad;

H. B. 325, a bill to make the carrying of concealed weapons a misdemeanor;

H. B. 623, a bill to amend chapter 154, laws of 1876–'77;

H. B. 581, a bill to authorize the commissioners of Macon county to levy a special tax;

Engrossed amendments to

S. B. 26, H. B. 167, a bill to punish the abduction of children under the age of eighteen years.

INTRODUCTION OF RESOLUTIONS.

By Mr. Atkinson,

A resolution asking our Senators and Representatives in Congress to advocate the establishment of two Universities in the State, and

By Mr. Woodhouse,

A resolution in favor of the Engrossing Clerk of the House; both of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Atkinson,

A bill authorizing the appointment of a purchasing agent for the Insane Asylum and Institution for the Deaf and Dumb and Blind;

By Mr. Angier,

A bill to prevent the selling or manufacturing spirituous liquors within three miles of Antioch church, Orange county; both of which are referred to the committee on Propositions and Grievances.

By Mr. Ewing,

A bill to incorporate the Little River and Pee Dee Railway Company, which is referred to the committee on Internal Improvements.

By Mr. Richardson of Wake,

A bill to amend Battle's Revisal, chapter 65, section 20, in relation to agricultural liens, which is referred to the committee on the Judiciary.

By Mr. Blaisdell,

A bill to secure the free passage of fish in South Fork river;

By Mr. Blaisdell,

A bill to secure the free passage of fish in Hunting Creek; both of which are referred to the committee on Fish Interest.

By Mr. Vaughan,

A bill to define the cause of challenge of talis jurors, &c., which is placed on the Calendar.

By Mr. Wheeler,

A bill to incorporate the Piedmont Banking Company, which is referred to the committee on Banking and Currency.

By Mr. Richardson of Wake,

A bill to authorize the commissioners of Wake county to pay certain school teaching claims, which is referred to the committee on the Judiciary.

Mr. Blaisdell, from the tellers appointed to superintend the election of magistrates, makes the following report of the election, which is accepted:

REPORT OF THE TELLERS ON THE ELECTION OF JUSTICES OF THE PEACE.

We, the undersigned, tellers on the part of the two Houses of the General Assembly, to superintend the election of justices of the peace by the General Assembly, on Tuesday, February 25th, 1879, beg leave to report that we have examined the rolls of the two Houses and find the following named persons received a majority of the votes cast in each House of the General Assembly for justices of the peace in the various townships of the several counties of the State, to fill the vacancies of such justices of the peace whose terms expire in August, 1879; also the justices of the peace for such new townships as have been created since the last election of justices; also justices of the peace for such incorporated towns as have no justices of the peace now, to-wit:

ALAMANCE COUNTY.

Patterson township—Roderick Kimery.
Cobel township—Frederick Graves.
Boone Station township—Joseph P. Albright.
Morton township—Asa Isley.
Faucett's township—Frederick U. Blanchard.
Pleasant Grove township—Charles G. Maynard.
Albright's township—John R Stockard.
Newlin's township—Thomas Stafford.
Thompson's township—William Stafford.
Melville's township—William H Lashley.
Graham township—Thomas C Foust.

ALEXANDER COUNTY.

Miller's township—T A Hudson.
Sharp's township—W R Sloan.
Gwaltney's township—Fielding McLain.
Sugar Loaf township—D M Baker.
Little River township—Amon Bumgarner.
Ellendale township—W S Teague.
Wittenburg's township—W W Stafford.
Taylorsville township—Thomas Little.

ALLEGHANY COUNTY.

Cherry Lane township—W B Kennedy.
Glade Creek township—W H Joins.
Gap Civil township—A J Waggoner.
Cranberry township—Josiah Caudell.
Prather's Creek township—Claude Cox.
Piney Creek township—John S Parsons.

ANSON COUNTY.

Wadesboro township—John A Boggan.

Lilesville township—W T Williams.
Morvin township—John J Dunlap.
Gulledge's township—James F Burch.
White's Store township—James T Lowrey.
Lanesboro township—Isaac M Williams.
Burnsville township—James D Hyatt.
Ansonville township—James W Hendley.

ASHE COUNTY.

Jefferson township—Martin Hardin.
Old Field township—Jacob B Hauck.
Pine Swamp township—Granville Osborne.
Peak Creek township—W B Carson.
Chestnut Hill township—J C Plumer.
Hilton's township—Johnson Perkins.
Piney Creek township—Jefferson Baldwin.
Horse Creek township—Reevis Osborne.
Stag Creek township—Gideon Weaver.
Laurel township—John Grayveal, (Andy's son.)
North Fork township—C W Osborne.

BEAUFORT COUNTY.

Pantego township—Ira H Topping.
Bath township—Mike Jones.
Long Acre township—Nelson Waters.
Washington township—David Tayloe.
Chockowinity township—John Moore.
Richland township—William Cowpen.

BERTIE COUNTY.

Windsor township—Lewis B Sutton.
Merry Hill township—Joseph E Nichols.
Mitchell's township—A J Dunning.
Roxabel township—Stephen A Norfleet.

Woodville township—Watson Lewis.
White's township—George W Cobb.
Snakebite township—Jesse H Bunch.
Coleraine township—E E Etheridge.

BLADEN COUNTY.

Elizabeth township—William B. Hester.
Bethel township—George F Allen.
Hawler township—T D Love, Jr.
Bladenboro township—Isaac A Davis.
Abbottsburg township—John H Thompson.
Brown Marsh township—James M Pearce.
White's Creek township—John R Rackley.
Carver's Creek township—Thomas O Brown.
French's Creek township—Alston Allen.
Colley township—Daniel Patterson.
Turnbull township—Joseph M Melvin.
White Oak township—Charles T Davis.

Cypress Creek township—For two years, William R Cromarty; for four years, Murdock M Smith; for six years, Charles P Parker.

Lake Creek township—For two years, W J Shaw; for four years, T F Pridgeon; for six years, George Henry.

Cypress Creek and Lake Creek townships are new townships created since the last election of magistrates.

BRUNSWICK COUNTY.

North West township—Francis M Moore.
Town Creek township—Augustus W Reiger.
Smithville township—L A Galloway.
Lickwood Folly township—Franklin Galloway.
Shallotte township—S J Stanley.
Waccamaw township—W Scott Millican.

BUNCOMBE COUNTY.

Avery's Creek township, No. 1—William G Springs.
Township No. 2—Alfred Starns.
Township No. 3—W H Green.
Township No. 4—J M Green.
Township No. 5—J W Wells.
Township No. 6—Foster Johnson.
Township No. 7—L A Lanning.
Township No. 8—Cornelius Clark.
Township No. 9—N A Penland.
Township No. 10—John G Chambers.
Township No. 11—William C Eller.
Township No. 12—T C Morgan.
Township No. 13, Black Mountain—For two years, G W Fortune; for four years, W Y Porter; for six years, John Stepp.

No. 13, or Black Mountain township, is a new township created by this General Assembly.

BURKE COUNTY.

Silver Creek township—Arthur Walker.
Linville township—Joseph B Hunter.
Upper Creek township—N P. Beck.
Quaker Meadow township—W A Bearfield.
Lower Creek township—John Sims.
Lovelady township—Jacob Bollinger.
Icard township—David Cook.
Lower Fork township—D D Mull.
Upper Fork township—Jerre Smith.
Morganton township—T. M. Asberry.
Brindletown township—For two years, Harvey Fisher; for four years, Jasper Yelton; for six years, J C Mills.

Brindletown township is a new township created since last election of magistrates.

CABARRUS COUNTY.

Township No. 1—F A Archibald.
Township No. 2—Theopholus Cannon.
Township No. 3—E G Irwin.
Township No. 4—P A Carroll.
Township No. 5—W H Blackwelder.
Township No. 6—Lawrence Klutts.
Township No. 7—John H. Moose.
Township No. 8—Jacob Ludwick.
Township No. 9—W M Widenhouse.
Township No. 10—E P Boger.
Township No. 11—N G White.
Township No. 12—W A Patterson.

CALDWELL COUNTY.

Lenoir township—B M Tuttle.
Lower Creek township—J G Ballew.
Lovelady township—Joseph Sherrill.
Little River township—Thomas C Sherrill.
King's Creek township—Thomas Livingston.
Buffalo township—S L Patterson.
Patterson township—Robert Holloway.
Globe township—Lot Estes.
John's River township—Joseph H Dixon.

CAMDEN COUNTY.

Shiloh township—G C Barco.
Court House township—E D Foard.
South Mills township—Frank Spence.

CARTERET COUNTY.

White Oak township No. 1—B T Taylor.

Morehead township No. 2—M F Arendell.
Newport township No. 3—D S Quinn.
Beaufort township No. 4—William F Howland.
Straits township No. 5—Thomas M Gillikin.
Smyrna township No. 6—Nathan Davis.
Hunting Quarters township No. 7—Wallace Willis.
Portsmouth township No. 8—Thomas Robinson.

CASWELL COUNTY.

Milton township—W T Farley.
Dan River township—W G Graves.
Pelham township—W H Gatewood.
Locust Hill township—John S Blackwell.
Yanceyville township—Monroe Oliver.
Leesburg township—James P Williams.
High Tower township—John A Johnston.
Anderson's township—J M Simpson.
Stoney Creek township—W Maynard.

CATAWBA COUNTY.

Newton township—G W Rabb.
Cline's township—Nelson E Sigmon.
Hamilton township—W H Trott.
Mountain Creek township—Powell Sherrill.
Caldwell's township—R England.
Jacob's Fork township—John A Whitener.
Baudy's township—D M Myant.
Hickory township—J W Mouser.

CHATHAM COUNTY.

Albright's township—William O Kirkman.
Baldwin's township—J B West.
Bear Creek township—S W Brewer.
Cape Fear township—J E Bryan.

Centre township—B G Womble.
Hadley's township—Oliver Clark.
Matthew's township—O A Hanner.
Hickory Mountain township—James N Green.
Gulf township—John F. Ausley.
Oakland township—A W Wicker.
New Hope township—J K Gibson.
Williams' township—Atlas J Riggsbee.

CHEROKEE COUNTY.

Murphy township—R D McCombs.
Valley Town township—J W Hyatt.
Beaver Dam township—H H Davidson.
Shoal Creek township—Jasper Barnett.
Hot House township—J R Hyatt.
Notla township—Alfred Arp.

CHOWAN COUNTY.

Edenton township—William E Bond.
Yeopin township—William J Webb.
Middle township—Elisha J Burk.
Upper township— Jacob U Hudson.

CLAY COUNTY.

Haysville township—T H Hancock.
Brass Town township—J S Bell.
Hiawassee township—Bryant Curtis.
Tusquitte township—W P Moore.
Shooting Creek township—Julius Killion.

CLEAVELAND COUNTY.

Township No. 1—J T M D Helton.
Township No. 2—D S Lovelace.

Township No. 3—John R Logan.
Township No. 4—A V Falls.
Township No. 5—T M A Otis.
Township No. 6—Walter Hardin.
Township No. 7—D A T Hamrick.
Township No. 8—Richard Hoard.
Township No. 9—J J Hardin.
Township No. 10—Zimri Falls.
Township No. 11—J F Whisnant.

COLUMBUS COUNTY.

Ransom township—Z F Murrell.
Lake Waccamaw township—J A Clark.
Bogue township—Thomas Barefoot.
Welch's township—Elijah Creech.
Whiteville township—J W Powell.
Western Prong township—B Brown.
Tatum's township—Labon Williamson.
Fair Bluff township—Dempsey Coleman.
William's township—A Tooms.
Bug Hill township—J J C Gore.
Lee's township—J J Long.

CRAVEN COUNTY.

Township No. 1—Richard S Chapman.
Township No. 2—Gilbert Arthur.
Township No. 5—Edward A Caraway.
Township No. 6—James H Hunter.
Township No. 7—Oliver H Perry.
Township No. 8—Edmund S Street.
Township No. 9—James W. Riddle.

CUMBERLAND COUNTY.

Seventy-First township—John A McPherson.

Rock Fish township—Colin McRae.
Gray's Creek township—J B Carver.
Quwhiffle township—D A McDiamond.
Cross Creek township—D G McRae.
Little River township—Dugald McLauchlin.
Cedar Creek township—G A Downing.
Flea Hill township—K McC Williams.
Black River township—J T Williams.
Beaver Dam township—Morris Hall.
Carver's Creek township—W R King.

CURRITUCK COUNTY.

Moyock township—John Barnard, Jr.
Crawford township—Virginius L Pitts.
Fruitville township—Elias Williams.
Poplar Branch township—James P Williams.
Atlantic township—Starke Harris.

DARE COUNTY.

Hatteras township—E H Riggs.
Kennekeet and Chickamacomeco township—Zion F Scarborough.
Nag's Head and Roanoke township—J H Tillett.
Croatan and Stumpy Point township—Thomas R Mann.
East Lake township—Thomas Owens.

DAVIDSON COUNTY.

Lexington township—James Smith.
Cotton Grove township—John H Miller.
Boone township—Henry Broadway.
Tyro township—J H Koonce.
Yadkin township—C C Byerly.
Clemmonsville township—A W Walker.
Arcadia township—J H Miller.

Bethany or Midway township—B F Beckerdite.
Abbott's Creek township—W W Pickard.
Thomasville township—Isham Regan.
Conrad Hill or Imbler's township—H C Hedrick.
Silver Hill township—Abraham Cross.
Emmon's township—John A Peacock.
Jackson Hill township—Lewis S Suratt.
Alleghany township—John G Suratt.
Healing's Springs township—Thomas Daniel.
Yadkin Bend township—For two years, C C Byerly; for four years, J H Walser; for six years, G W Hege.
Yadkin Bend is a new township and entitled to three magistrates.

DAVIE COUNTY.

Mocksville township—M R Chaffin.
Jerusalem township—J A Kelly.
Fulton township—John H Hanes.
Farmington township—James M Johnson.
Clarksville township—H E Holman.
Calahu township—Winfield S. Smoot.

DUPLIN COUNTY.

Keenansville township—B F Pearsall.
Limestone township—T I Armstrong.
Cypress Creek township—B G Larkins.
Island Creek township—R Teachy.
Rock Fish township—D S Williams.
Warsaw township—D G Morrisey.
Faison's township—M A Lewis.
Wolf Creek township—B H Walker.
Albertson's township—B F Grady.
Dale's township—E B Herring.
Smith's township—John G Smith.

Magnolia township—Abner Robinson.
Incorporated town of Magnolia—O J Carroll.

EDGECOMBE COUNTY.

Township No. 1—Richard M Johnson.
Township No. 2—John A Little.
Township No. 3—James W Howard.
Township No. 4—Louis B Knight.
Township No. 5—H Lafayette Leggett.
Township No. 6—James W Draughorn.
Township No. 7—David H Barlow.
Township No. 8—John A Davis.
Townsnip No. 9—Amos Wooten.
Township No. 10—Frank Malston.
Township No. 11—W H Knight.
Township No. 12—Charles S Kettlebrew.
Township No. 13—Patrick H Edge.
Township No. 14—Jesse W Williams.

FRANKLIN COUNTY.

Louisburg township—J A May.
Franklinton township—W P Morris.
Freeman's township—Thomas J Crocker.
Haysville township—R G Winne.
Gold Mine township—A M Hamlette.
Cedar Rock township—A Thomas.
Cypress Creek township—James M White.
Dunn's township—W K Phillips.
Harris township—B F Wilder.
Sandy Creek township—N H Murphy.

FORSYTHE COUNTY.

Winston township—William Barrow.

South Fork township—John E Faw.
Old Town township—S N McGee.
Broad Bay township—F A Tucker.
Abbott's Creek township—J H Chamberlain.
Middle Fork township—John Beeson.
Kernersville township—J H Morris.
Below's Creek township—A S Ham.
Salem Chapel township—Thomas M Marshall.
Bethania township—A P Styers.
Old Richmond township—E L Reed.
Vienna township—E C Dull.
Lewisville township—William Hauser.

GASTON COUNTY.

Cherryville township—Martin H Shuford.
Dallas township—Caleb Paysour.
River Bend township—John C Fite.
South Point township—John F Leeper.
Crowder's Mt. township—William Pearson.

GATES COUNTY

Gatesville township—E J Brady.
Hall township—Elisha Parker.
Reynoldson township—H H Willy.
Haslett township—William H Riddick.
Holly Grove township—William H Palson.
Hunter's Mill township—John W Hofler.
Mintonsville township—Nathan O Ward.

GRAHAM COUNTY.

Cheoaih township—N G. Phillips.
Stecoaih township—Philip Crisp.

GRANVILLE COUNTY.

Henderson township—J E Burroughs.
Kittrell's township—Erasmus A Powell.
Brassfield township—J Y Moss.
Dutchville township—E E Lyon.
Walnut Grove township—Benjamin F Hester.
Sassafras Fork township—Thomas Pittard.
Townsville township—John E Haithcock.
Oxford township—John Blacknall.
Oak Hill township—M S Daniel.
Tally Ho township—Arthur S Carrington.
Fishing Creek township—Elijah C Montague.

GREENE COUNTY.

Snow Hill township—Levi J H Mewborne.
Hookerton township—James S Smith.
Speight's Bridge township—Bennet Fields, jr.
Old's township—W P Ormand.
Bulldose township—Benjamin W. Best.

GUILFORD COUNTY.

Washington township—Alexander Tickel.
Rock Creek township—A G Clapp.
Greene township—Zimri M Foust.
Madison township—Robert C Rankin.
Jefferson township—William F Thom.
Clay township—Addison Coble.
Monroe township—J M McMickel.
Gilmer township—John A Pritchett.
Fentress township—John M Fentress.
Centre Grove township—Thomas Moore.
Morehead township—Arrington Dilworth.
Sumner township—J S Murrow.

Bruce's township—J T Rhodes.
Friendship township—A H Lindsay.
Jamestown township—W. G. Sapp.
Deep River township—Jason Thompson.
High Point township—Henry Clapp.
Oak Ridge township—Walter Benbow.

HALIFAX COUNTY.

Halifax township—R H Shaw.
Caledonia township—T W Fenner.
Palmyra township—E W Hyman.
Roseneath township—R H Purrington.
Conoconarie township—W M Shields.
Weldon township—W A Daniel.
Enfield township—James H Whitaker.
Littleton township—W A Johnston.
Butterwood township—E A Thorne.
Brinkleysville township—F M Parker.
Faucett township—R B Brickell.

HARNETT COUNTY.

Johnsonville township—A C Buie.
Barbecue township—James Cameron.
Upper River township—J S Harrington.
Lillington township—J R Marsh.
Averysboro township—Joel Barefoot.
Grove township—S R Wilson.
Neill's Creek township—W J Long.
Hector Creek township—Ben Gardner.
Buck Horne township—J S Hoslt.
Stewart's Creek township—J T McLean.
Black River township—For 2 years, J C Williams; for 4 years, J P Cutts; for 6 years, T Matthews.

Black River is a new township, created since the last election of magistrates.

HAYWOOD COUNTY.

Waynesville township No. 1—H. B. Platt.
Township No. 2—Henry Ivester.
Township No. 3—T B Edmundson.
Township No. 4—Joseph Christopher.
Township No. 5—R. M. Ferguson.
Township No. 6—R W Noland.
Township No. 7—Daniel Cook.
Township No. 8—J. M. Rice.
Township No. 9—A C Cagle.
Township No. 10, Iron Duff—For 2 years, J M White, jr; for 4 years, E L Medford; for 6 years, J M Crawford.

No. 10, or Iron Duff township, was created by this General Assembly.

HENDERSON COUNTY.

Hendersonville township—A M McCarson.
Edneyville township—R A Freeman.
Blue Ridge township—L R Edney.
Green River township—Edward Freeman.
Clear Creek township—A J McMinn.
Hooper Creek township—A E Fletcher.
Crab Creek township—George Sentill.
Mills River township—A E Posey.

HERTFORD COUNTY.

Winton township—Charles N Pruden.
Harrellsville township—James P Howell.
St. John's township—Julian S. Moore.
Manning's Neck township—S B. Winburn.
Murphreysboro township—W T Brown.

HYDE COUNTY.

Ocracoke township—Daniel Folsom.
Lake Landing township—T M Davis.
Swan Quarter township—Samuel Jones.
Currituck township—Daniel Burgess.
Fairfield township—Will Jones.
Engelhard (incorporated town)—R. B. Sanderson.

IREDELL COUNTY.

Eagle Mills' township: Lewis Tuberville.
Union Grove township: W G Templeton.
New Hope township: J D Wellbourne.
Turnersburg township: Benjamin Turner.
Olin township: Thomas J. Allison.
Sharpesburg township: A A Hines.
Cool Springs township: G F Shepherd.
Bethany township: J A Austin.
Concord township: Abner Morrison.
Chambersburg township: J A White, jr.
Statesville township: John Bradley.
Shiloh township: Peter Little.
Barringer township: J W Sanders.
Falls Town township: A P. Clark.
Coddle Creek township: J S Harris.
Davidson township: J M Shook.

JACKSON COUNTY

Cashier's Valley township: S N Allison.
Hamburg township: J P Stewart.
Canada or Saul's Creek township: J A Galaway.
Cary Fork township: R H Stephens.
Fork of the River township: W M Hooper.
Cullowhee township: R L Watson.

Scott's Creek township: Samuel H Bryson.
Webster C. H. township: E P Stillwell.
Savannah township: B H Jones.
Barker's Creek township: J B Raby.
Qualla Town township: T K Welch.

JOHNSTON COUNTY.

Clayton township: John L Banks.
Pleasant Grove township: Joseph Ogburn.
Elevation township: Carroll Langdon.
Meadow township: D G Johnson.
Bentonsville township: Ransom Lee.
Ingram's township: N T Cole.
Smithfield township: John R Creech.
Princeton township: L P Creech.
Beulah township: B R Hinnant.
O'Neal's township: William H O'Neal.
Wilder township: James A Hocutt.
Selma township: W J Barrow.

JONES COUNTY.

White Oak township: Lewis Brynum.
Pollocksville township: Henry C Foscue.
Trenton township: Edward M Foscue.
Cypress Creek township: Calvin Koonce.
Tuckahoe township: John W Edwards.
Beaver's Creek township: Lewis H Haskins.

LINCOLN COUNTY.

North Brook township: S J Weaver.
Howard's Creek township: Phillip Carpenter.
Lincolnton township: W T Shipp.
Ironton township: R S Rhinehardt.

Catawba township: Freeman Kelly.
Town of Lincolnton: H W Burton.

LENOIR COUNTY.

Sand Hill township: S T Croslan.
Woodington township: Jesse Jackson, jr.
Trent township: A W Whitfield.
Pink Hill township: George Turner.
Mosely Hall township: S J Sutton.
Lenoir Institute township: M B Creech.
Falling Creek township: J W Dailey.
Vance township: J M Mewbern.
Contentnea Neck township: H H Moore.
Kinston township: S H Rountree.

MACON COUNTY.

Franklin township: F Poindexter.
Mill Shoal township: Jesse S Elmore.
Ellijay township: William H Higden.
Sugar Fork township: I N Kerner.
Clear Creek township: J W Wilson.
Smith's Bridge township: L. F. Howard.
Cartoogechage township: Albert Siler.
Nantihala township: John D Howard.
Burningtown township: Posey C Wilds.
Cowee township: Cal A Hall.

MADISON COUNTY.

Marshal township: C G Rector.
Pine Creek township: Adolphus Payne.
Little Sandy Mush township: John M Carver.
Spring Creek township: Jasper Ebbs.
Warm Spring township: Peter Scism.

Big Laurel township: James E Rice.
Shelton Laurel township: J S Tweed.
Gabriel Creek township: L C Huff.
Middle Fork township: W W Ponder.
West Fork township: W M Jervis.
Upper Laurel township: William A Ray.

MARTIN COUNTY.

Hamilton township: W H Watson.
Williamston township: S M Parrington.
Jonesville township: D R Daniel.

MECKLENBURG COUNTY.

Charlotte township: F A McNinch.
Clear Creek township: T A Jerome.
Crab Orchard township: W H Taylor.
Berryhill township: L M McAlister.
Sharon township: Oswald Alexander.
Pineville township: J M Boyce.
Providence township: W M Matthews.
Steele Creek township: F Lee Erwin.
Dewese township: W D Mayes.
Long Creek township: Thomas Glugas.
Pan Creek township: James M Sloan.
Lemley's township: R A Torrence.
Morning Star township: S B Smith.
Mallard's Creek township: J B Thomason.

McDOWELL COUNTY.

Jamestown township: B F Brackett.
Higgins' township: A C Gardner.
Dysartsville township: W J Allen.
Dobson township: I S Stacey.

North Cove township: Robert H McCall.
Marion township: Henry Presnall.
Old Fort township: E H Grant.
Crooked Creek township: R M Burgin.
Broad River township: Jesse Burgin.
Sugar Hill township: Alford Clayton.

MITCHELL COUNTY.

Bakersville township: T L Randolph.
Snow Creek township: S T Hensley.
Grassy Creek township: H L Brinkley.
Toe River township: W H Ollis.
Linville township: F P Slagle.
Little Creek township: J G Burleyson.
Red Hill township: Henry Masters.
Harrill's township: Green Y Buchan.
Hollow Poplar township: Simeon J Moore.

MONTGOMERY COUNTY.

Troy township: Neill McInnis.
Mt. Gilead township: D C McAuley.
Pee Dee township: W G DeBerry.
Rocky Spring township: D I Ewing.
Little River township: E C Martin.
Edward's township: John F Cotten.
Hollingsworth township: Martin Gillis.
Uwharrie township: Littleton Dennis.
Cheek's township: R T Rush.
Ophir township: W C Davis.
Hill township: M M Leach.

MOORE COUNTY.

Carthage township: Daniel Hannon.
Ben Salem township: L B Currie.

Seffield's township: Thomas Brown.
Ritter's township: J W Seawell.
Jonesboro township: Absalom Kelly.
Greenwood township: William P Cameron.
Thugard's township: D S Byrd.
Pocket township: A M Wicker.
Sand Hill township: J B McDonald.
Mineral Springs township: A M Black.

NASH COUNTY.

Castalia township: Thomas J Brasswell, jr.
Griffin township: James V Bunting.
Whitaker's township: T P Brasswell.
Stoney Creek township: John E Lindsay.
Nashville township: L W Hedgepeth.
Cooper's township: Willis Eason.
Manning's township: S C Edwards.
Ferrell's township: William H Griffin.
Bailey's township: W B Winbourne.
Jackson township: A B Williams.
Rocky Mount township: D W Winstead.

NEW HANOVER COUNTY.

Wilmington township: John D Taylor.
Federal Point township: J P Montgomery.
Masonboro township: John A Farrow.
Harnett township: Gerritt Walker.
Cape Fear township: Iredell Johnston.

NORTHAMPTON COUNTY.

Gaston township: W E Bradley.
Occoneechee township: W H Summerell.
Jackson township: Isaac Peele.
Roanoke township: William Grant.

Rich Square township: Henry Copeland.
Wiccacanoe township: W J Rogers.
Kirby township: J H Edwards.
Seaboard township: R T Stephenson.
Town of Jackson: William Barrow.

ONSLOW COUNTY.

Richland township: D A Sandlin.
Jacksonville township: J H Mashbourne.
Stump Sound township: N N McMillan.
Swansboro township: J A Freshwater.
White Oak township: Noble Somersill.

ORANGE COUNTY.

Hillsboro township: Calvin E Smith.
Little River township: Samuel H. Jordan.
Mangum township: Alvis K Umstead.
Durham township: William W Guess.
Patterson township: Samuel H Turrentine.
Chapel Hill township: Charles W Johnson.
Bingham township: D M Durham.
Cedar Grove township: William W Allison.
Lebanon township: For two years, James G Latta; for four years, S W Holman; for six years, R G Russell.

Lebanon is a new township and the present justices were appointed by the Governor. Their terms expire August, 1879.

PAMLICO COUNTY.

Township No. 1: David L Benison.
Township No. 2: Stephen B Lane.
Township No. 3: John D McCotter.
Township No. 4: Fred A Spain, sr.
Township No. 5: R B Hardison.

PASQUOTANK COUNTY.

Elizabeth City township: M B Culpepper.
Newland township: James White.
Providence township: David Daily.
Nixonton township: S J Halstead.
Mt. Hermon township: W J Munden.
Salem township: J S Wilcox.

PENDER COUNTY.

Holden township: Rufus W Collins.
Union township: Stephen C Filyaw.
Columbus township: G F Walker.
Caswell township: J S Pridgeon.
Lincoln township: W W Larkin.
Rocky Point township: Thomas A McClendon.
Holly township: R T Williams.
Grant township: Newnan Atkinson.
Incorporated town of Burgaw: W E Duncan.

PERQUIMANS COUNTY.

Hertford township: William Gunn.
Bethel township: H H Griffin.
Belvidere township: Robert Newby.
Parkville township: Elijah Peel.
New Hope township: John A Johnson.

PERSON COUNTY.

Cunningham's township: Samuel A Barnett.
Olive Hill township: W G Winstead.
Bushy Fork township: J L Brooks.
Flat River township: William A Barton.
Roxboro township: W C Satterfield.

Wooddale township: John A Barnett.
Holloway's township: T J Montague.
Allensville township: T A Yancey.
Mt. Tirzah township: G G Moore.

PITT COUNTY.

Swift Creek township: Slade Chapman.
Chicor township: John Galloway, Jr.
Greenville township: W A Hollowell.
Belvoir township: B F Bryan.
Pactolus township: J R Congleton.
Falkland township: W R Williams.
Farmville township: James S Norman.
Contentnea township: R P Collins.

POLK COUNTY.

Columbia township: James H Armes.
White Oak township: George J Mills.
Tryon township: C P Williams.
Cooper's Gap township: Lewis Cowart.
Green's Creek township: William Shields.

RANDOLPH COUNTY.

Trinity township: J R Frazier.
New Market township: B F Steed.
New Salem township: W D Siler.
Liberty township: W P Fox.
Columbus township: Henry Craven.
Franklinsville township: O R Cox.
Asheboro township: R M Free.
Tabernacle township: A B Finch.
Back Creek township: J T Bostick.
Concord township: J B Horney.
Cedar Grove township: R M Moffitt.
Grant township: H T Bray.

Pleasant Grove township: H T Moffitt.
Brower township: John Brady.
Richland township: W D Kenig.
Union township: George Auman.
New Hope township: P C Brewer.

RICHMOND COUNTY.

Rockingham township: John Shortridge.
Stewartsville township: James M Graham.
Laurel Hill township: William Johnston.
Williamson's township: John W Snead.
Mineral Springs township: Daniel W Gibson.
Black Jack township: Alfred B Covington.
Wolf Pitt township: Hampton S Wade.
Beaver Dam township: John C Terry.
Steele's township: James T Bradley.

ROBESON COUNTY.

Alfordsville township: Evander Alford.
Blue Springs township: Thomas McBryde.
Back Swamp township: D C McIntyre.
Britt's township: H F Pittman.
Howellsville township: W Regan.
Lumberton township: Dr W A Dick.
Lumber Bridge township: S J Cobb.
St. Paul township: Lochlin Shaw.
Sterling's Mills township: R R Barnes.
Smith's township: A T McCallum.
Shoe Heel township: W B Harker.
Thompson's township: Needham B Thompson.
Wishart's township: W Wishart.
Burnt Swamp township: D A Buie.
White House township: Colin Williams.

ROWAN COUNTY.

Salisbury township: John A Hedrick.
Franklin township: William R Fraley.
Unity township: Richard Culbertson.
Scotch Irish township: Jesse Powless.
Mt. Ulla township: Phi. Alexander.
Atwell township: Joseph F McLean.
Locke township: J F Robinson.
Littaker township: Isaac S Linker.
Gold Hill township: Adam C Earnhart.
Morgan's township: Wiley Bean.
Providence township: George L Lyerly.

ROCKINGHAM COUNTY.

Leaksville township: W R Strong.
Stoneville township: Nathaniel Scales.
Madison township: James A Vernon.
Huntsville township: A T Neal.
New Bethel township: Thomas Cummings.
Simpsonville township: W P Hopkins.
Wentworth township: Nathan Mobley.
Oregon township: James Hutchinson.
Williamsborough township: Ezekiel Paschal.

RUTHERFORD COUNTY.

Rutherfordton township: Joseph H Smith.
Green Hill township: M K Linch.
Union township: J Y McEntire.
Sulphur Spring's township: John L McDowell.
High Shoals township: J J Camp.
Colfax township: J B McDaniel.
Cool Spring's township: William Martin.
Duncan's Creek township: W J Witheron.
Golden Valley township: J M Mode.

Logan's Store township: H B Wilson.
Camp Grove township: S K Cannon.
Morgan township: T P Hemphill.
Chimney Rock township: W H Henderson.

SAMPSON COUNTY.

Clinton township: L C Hubbard.
Taylor's Bridge township: V J McArthur.
Lisbon township: A M Blackburn.
Franklin township: W B Murphy.
Turkey township: Walter J Moore.
Piney Grove township: M W Clifton.
Westbrook township: Ransom West.
Mingo township: N B Barefoot.
Hall's township: H H Cobb.
Dismal township: James D Malloy.
Little Coharie township: Amos Bullard.
Hunnycutt's township: Jas. H Turlington.
McDaniel's township: James M Smith.

STANLY COUNTY.

Township No. 1: W S Smith.
Township No. 2: J J Freeman.
Township No. 3: John R Ivey.
Township No. 4: Coleman Lefler.
Township No. 5: E R Herrin.
Township No. 6: J E Hartsell.
Township No. 7: F G Turner.
Township No. 8: J E Maulden.

STOKES COUNTY.

Meadow township: James M Fulton.
Sauratown township: W W Withers.
Beaver Island township: J D Dalton.
Snow Creek township: John Martin.

Peter's Creek township: W V Shelton.
Quaker Gap township: M T Smith.
Yadkin township: J H Stramel.

SURRY COUNTY.

Dobson township: T B Hamlin.
Mt. Airy township: Robert S Gilmer.
Westfield township: William D Haymore.
Pilot township: John C Dodson.
Rockford township: John G Burriss.
Marsh township: F F Anthony.
Hotel township: John A Park.
Bryant township: Stephen Venable.
Franklin township: W Y Tucker.
Stewart's Creek township: Samuel P Freeman.
Eldora township: B Badget.

SWAIN COUNTY.

Oconolufty township: W R Grant.
Charleston township: J C Cogdill.
Nantihala township: Thomas P Sawyer.
Toney's Creek township: Daniel Lester.

TRANSYLVANIA COUNTY.

Boyd's township: W O Miller.
Little River township: S W Hamilton.
Davidson township: J J Shipman.
Dunn's Rock township: B F Aiken.
Cathey's Creek township: G F Justice.
East Fork township: L D Gillespie.
Gloucester township: W P Galloway.
Hogback township: C J Henderson.

TYRRELL COUNTY.

Columbia township: Austin Perisher.
Scuppernong township: Samuel M Alexander.

Gum Neck township: J W Swain.
Alligator township: B F Duncan.
South Fork township: S C Patrick.

UNION COUNTY.

Monroe township: Jonathan Trull.
Buford township: Zacharia Yarborough.
Jackson township: Alexander McIlwain.
Sandy Ridge township: E H Harkness.
Goose Creek township: Thomas H Benton.
New Salem township: J W Hamilton.
Lane's Creek township: Vachel T Cheers.

WAKE COUNTY.

Barton's Creek township: M H Ellen.
St. Mary's township: W N Snelling.
Buckhorn township: L B Seagraves.
Carey township: J P H Adams.
Cedar Fork township: Hiram Weatherspoon.
House's Creek township: J D Hayes.
Little River township: P P Pace.
Mark's Creek township: H A Rhodes.
Middle Creek township: D C Adams.
New Light township: Chas H Ray.
Neuse township: J J Dunn.
Oak Grove township: W H Gully.
Panther Branch township: W D. Crowder.
St. Matthew's township: N W Pool.
Swift Creek township: Thomas Woodall.
Wake Forest township: W C Brewer.
White Oak township: G G Maynard.
Raleigh township: Zach T Broughton.

WARREN COUNTY.

River township: Samuel D King.
Haw River township: B P Davis.
Smith's Creek township: Robert F Rose.
Nut Bush township: Thomas P Paschal.
Sandy Creek township: John W Allen.
Shoco township: George R Clements.
Fishing Creek township: William T Perry.
Judkins township: Samuel W Dowtin.
Warrenton township: Joseph E Drake.
Six Pound township: Horace Palmer.

WASHINGTON COUNTY.

Plymouth township: Lewis C Marriner.
Lee's Mill township: Thomas G Blount.
Skinnersville township: Yorach M Woodley.
Scuppernong township: Charles L Pettigrew.

WATAUGA COUNTY.

Boon township: Nathan Horton.
Ball Mountain township: John J L Church.
Blue Ridge township: A W Penley.
Blowing Rock township: W W Sherrill.
Beaver Dam township: Marion Wilson.
Cove Creek township: John McGuire.
Elk Creek township: Isham T Calloway.
Laurel Creek township: Miles A Presnell.
Meet Camp township: Joel Norris.
Stoney Fork township: John N Idol.
Watauga township: J W McCleard.
Shoaneehan township: George W Brown.

WAYNE COUNTY.

Goldsboro township: Nathan Boyett.

Stony Creek township: N J Smith.
Nahunta township: W E Fountain.
Great Swamp township: J M Perkins.
Pikeville township: J T Dees.
Saulston township: W H Speight,
New Hope township: John W Isler.
Indian Spring's township: John A Kornegay.
Brogden township: D E Stevens.
Grantham township: George M Bridgers.
Fork township: Hillory Hastings.

WILKES COUNTY.

Edward's township: Joseph Edwards.
Trap Hill township: James McCan.
Walnut Grove township: W H Handy.
Rock Creek township: Smith Johnson.
Mulberry township: P R McGrady.
Union township: Thomas Whittington.
Reddy River township: J A Crysle.
Lewis' Fork township: J W Church.
Job's Cabin township: Harrison Church.
Elk township: H H Miller.
Beaver Creek township: Pickens Carlton.
Wilkesboro township: T J Gilreath.
Summer's township: Welmuth Jarvis.
Fishing Creek township: T B James.
Lovelace township: G J Thornburg.
Brushy Mountain township: E E Hendren.
New Castle township: R W Wooten.
Antioch township: B P Johnston.

WILSON COUNTY.

Wilson township: F W Barnes.
Gardener's township: Thadeus W Pender.

Stauntonburg township: J H Applewhite.
Taylor's township: B E Thompson.
Black Creek township: A G Person.
Cross Roads township: T A Thompson.
Spring Hill township: William Watson.
Saratoga township: S H Tyson.
Old Field's township: Joseph Farmer.
Toisnot township: J H Barclay.

YADKIN COUNTY.

Boonville township: James H Flemming.
Knob's township: Benjamin Sparks.
Buck Shoals township: J F Couch.
Deep Creek township: John B Holcomb.
Liberty township: Thomas Williams.
Forbush township: Alvis Cornelius.
Little Yadkin township: Joseph Williams.
East Bend township: T F Matthews.
Falls' Creek township: J L Shugard.

YANCEY COUNTY.

Burnsville township: Samuel M Bennett.
Cane River township: Melton P Hampton.
Egypt township: B S Hensley.
Ramseytown township: C R Byrd.
Jack's Creek township: Dobson Deyton.
Brush Creek township: Green B Woody.
Crab Tree township: David H Silver.
South Toe River township: John D Patton.
Pensacola township: Samuel F McPeters.
Green monntain township: For two years, A J Barnett; for four years, Jere Hughes; for six years, John Hughes.

Green Mountain township is a new township created since the last election of magistrates.

Whole number of votes cast 115, of which the foregoing list of nominations received 87.

We, therefore, declare that the above named persons, having each received a majority of the votes cast in each House of the General Assembly, have been duly elected justices of the peace for their respective townships and counties as above set forth.

All of which is respectfully reported,

EDWARD BULL,
J. T. DILLARD,
Tellers on the part of the Senate.
GEO. N. LEWIS,
I. S. BLAISDELL,
Tellers on the part of the House.

Mr. Bizzell asks the suspension of the rules to take up H. B. 107, a bill to amend chapter 88 of the private acts of the General Assembly of the session of 1874–'75, entitled "An act to incorporate the Fayetteville, Harnett and Goldsboro Railroad."

On a division, the House refuses to suspend the rules.

On motion of Mr. York, the Calendar is placed at the disposal of the Speaker for the remainder of the day.

Mr. Vaughan in the Chair.

H. B. 107 is placed by the Speaker before the House, and discussed until the announcement of the hour for

THE SPECIAL ORDER,

being

H. B. 286, a bill to incorporate the Lincoln and Catawba Railroad Company.

On motion of Mr. Clarke, the consideration of the special order is postponed until the matter before the House is disposed of.

H. B. 107 is then considered, and being put on its third reading, passes; and

On motion of Mr. Bizzell, on a division, is ordered to be sent to the Senate without engrossment, and is so transmitted.

Mr. Berry rises to a question of personal privilege in regard to reflections made upon him in the report of the committee appointed to investigate the affairs of the Western N. C. Railroad and the Western Insane Asylum.

Mr. Atkinson also rises to a question of personal privilege in connection with the same subject.

Mr. Richardson of Columbus, moves that the machinery act be made the special order for Friday, the 28th; and it is so ordered by the House.

Mr. Blaisdell moves to suspend the special order until twelve o'clock.

The House refuses to postpone, and the consideration of

THE SPECIAL ORDER

is resumed.

Mr. Rawley offers the following amendment:

"Amend the title of the bill by making the title read thus: 'An act to incorporate the Lincoln and Catawba Railway Company, and to destroy one-half of the completed section of the Western N. C. Railroad.'"

Mr. Covington offers an amendment, which is ruled out by the Speaker as not being germane to the matter before the House.

The question is put on the amendment of Mr. Rawley, and it is rejected.

Mr. Brown of Mecklenburg, sends forward the following amendment, which is accepted:

Strike out in section 9 all after the word "upon," in line ten, and insert: "*Provided*, that in case of any such sale, lease, mortgage or consolidation of this company, as in section 8 and preceding part of this section, the said company so consolidated or leased or sold, shall not be allowed to discriminate, under their several classifications, in freight and passenger rates over the entire line against any town, city, or way-station on its entire line or at its termini, in favor of any other town, city or way-station on said line or termini, except as the distance is more or less that such freights or passengers have been shipped. If said railroad shall violate any of the provisions of this section or in any way avoid the provisions of this section, it shall be guilty of a misdemeanor; and upon conviction thereof in the superior court of any county in which any part of the track of said company shall be situated, shall be fined five hundred dollars for each and every offence."

Mr. Powers offers the following amendment, which is also accepted:

Amend section 9 by adding: "*Provided further*, that in the event that said company shall consolidate with the Carolina Central Railway Company, the said Carolina Central Railway Company, under its present name or any other that it may hereafter assume, shall not be allowed to abandon its road from Lincolnton to Shelby, but shall continue to run its trains to Shelby as heretofore."

Mr. Young offers the following amendment:

"SEC. —. The Carolina Central Railway Company shall not be allowed to consolidate with the Lincoln and Catawba Railway Company, nor make any connections with the Western North Carolina Railroad Company until the said Carolina Railway Company shall lay its track to Ruther-

fordton and otherwise comply with the charter of the Wilmington, Charlotte and Rutherford Railroad Company."

On the passage of the bill on its second reading, Mr. Davis of Catawba demands the previous question.

The call is sustained and the main question ordered.

The question is upon the amendment of Mr. Young, upon the adoption of which Mr. Jones demands the ayes and nays.

The call is sustained, and the amendment is adopted by the following vote:

Ayes—Messrs. Anderson, Barringer, Bateman, Battle, Bird, Blocker, Bost, Bruce, Buchan, Cale, Carson, Christmas, Clarke, Click, Council, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Forbes, Foy, Goldston, Grant, Henderson, Hobbs, Holt, Huffstetler, Jones, Johnson, Leach, Lindsay, Lowry, Lutterloh, Melson, Pettipher, Rawley, Reynolds, Ritchey, Taylor, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—49.

Nays—Messrs. Amis, Ardrey, Armstrong, Bernard, Bingham, Blaisdell, Blalock, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bryson, Carter of Warren, Carroll, Cobb, Coffield, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Etheridge, Ferrell, Foster, Gatling, Hewett, Hines, Horton, Lamb, Leatherwood, Lockhart, Meares, Mebane, Miller, Moore, Norment, Oliver, Orchard, Powers, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Scott, Smith, Turner, and Venable—45.

On the passage of the bill on its second reading, Mr. Jones demands the ayes and nays.

The call is sustained, and the bill fails to pass by the following vote:

Ayes—Messrs. Amis, Ardrey, Armstrong, Bateman, Bernard, Bird, Blalock, Brown of Mecklenburg, Brown of Yadkin, Bryson, Carter of Yancey, Carroll, Cobb, Coffield, Colwell, Covington, Davis of Catawba, Davis of Haywood,

Davis of Madison, Etheridge, Ewing, Foard, Gatling, Goldston, Harrell, Hewett, Hines, Horton, Lamb, Leatherwood, Lockhart, Meares, Moore, Newell, Norment, Oliver, Powers, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Scott, Turner, and Vaughan—44.

Nays—Messrs. Battle, Bingham, Bizzell, Blocker, Bost, Bruce, Buchan, Cale, Carson, Cary, Chadwick, Christmas, Clarke, Click, Council, Deans, Dimsdale, Dixon, Dunn, English, Ferrell, Foster, Foy, Grant, Harrison, Henderson, Hobbs, Holt, Huffstetler, Jones, Johnson, Leach, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Orchard, Osborne, Pettipher, Rawley, Reynolds, Ritchey, Smith, Taylor, Wheeler, White, Woodhouse, York, and Young—50.

Mr. Clarke moves to reconsider the vote by which the bill fails to pass, and to lay that motion on the table; and the motion to table prevails.

THE SECOND SPECIAL ORDER,

H. R. 174, a resolution to recover State's property and indict certain persons for spoliation of the State, is announced.

Mr. Norment moves to refer the resolution to the Judiciary Committee; on which motion

Mr. Turner demands the ayes and nays.

The call is not sustained.

Mr. Cooke moves to amend the motion to refer the resolution to the Judiciary Committee by substituting a reference to a special committee of three, to be appointed by the Speaker; and the amendment is accepted.

Mr. Turner moves to further amend by moving that said committee report to this House to-morrow.

Mr. Vaughan moves to lay the whole matter on the table.

On that motion Mr. Turner demands the ayes and nays.

The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Ardrey, Blocker, Bost, Brown of Mecklen-

burg, Colwell, Davis of Haywood, Leatherwood, Norment, Orchard, Paxton, Vaughan, and Woodhouse—12.

Nays—Messrs. Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Cobb, Cooke, Council, Deans, Dimsdale, Dixon, Dunn, Ellison, Etheridge, Ewing, Ferrell, Foard, Forbes, Foy, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Jonnson, Leach, Lowry, Meares, Mebane, Melson, Miller, Newell, Oliver, Osborne, Rawley, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Taylor, Waddell, Wheeler, Wimberly, Wynne, and Young —72.

The question is then on the adoption of the amendment to the amendment offered by Mr. Turner, which, on a division, is adopted, ayes 42, nays 22; and then the question recurs on the amendment of Mr. Cooke as amended, which is adopted; and then on the original motion as amended, and it is adopted.

On motion of Mr. Woodhouse,

H. R. 194, a resolution to authorize the Engrossing Clerk to employ assistance, is put on its adoption and passes.

And on motion, the House adjourns until this evening at half-past 7 o'clock.

Evening Session.

Wednesday, Feb. 26th, 1879.

The House meets at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

THE CALENDAR

is taken up.

H. B. 739, a bill for the relief of John H. Cox, of Perquimans county, is put on its third reading.

The question is on the adoption of the substitute offered by the committee.

On motion of Mr. Powers, the word "January" is struck out and "February" inserted.

Mr Turner moves to insert the word "alleged" after the word "whereas;" which is accepted.

Mr. Turner moves to strike out "February, 1881," and insert "February, 1880," which is rejected.

The substitute as amended is adopted.

And the question is then on the bill on its third reading, and the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. Anderson introduces a bill to incorporate Tusquitte M. E. Church, South, Clay county, which is placed on the Calendar.

By consent,

Mr. Leach introduces a bill to incorporate the town of Gold Region, Moore county, which is referred to the committee on Corporations.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 523, a bill to incorporate the Sons and Daughters of Temperance of Chatham county, asking the concurrence of the House therein.

The bill was read the first time in this House and referred to the committee on Corporations.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills, and asking the concurrence of the House therein:

S. B. 464, a bill to amend the charter of the town of Farmville;

S. B. 524, a bill to prohibit fishing in Coneto creek, Pitt county;

S. B. 526, a bill to prohibit fishing with nets or seines in the waters of Great Swamp, Wayne county;

S. B. 418, a bill to incorporate the town of Little Washington, Wayne county;

S. B. 225, a bill to incorporate the town of Middleburg, Warren county; and

S. B. 441, a bill to authorize the town of Asheville, Buncombe county, to levy taxes for the support of graded schools.

They were read the first time in this House, and referred as follows:

S. B. 441 to the committee on Education;

S. B. 526 and S. B. 524 to the committee on Fish Interest; and

S. B. 225, S. B. 418 and S. B. 464 to the committee on Corporations.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills, and asking the concurrence of the House therein:

S. B. 341, a bill to authorize the Treasurer of the State to exchange the stock in the Albemarle and Chesapeake Canal for the bonds of the State (not special tax);

S. B. 419, a bill to incorporate the town of Saul's Cross Roads, Wayne county; and

S. B. 515, a bill to allow the county of Iredell to fund her outstanding railroad bonds.

They are read the first time in this House, and referred as follows:

S. B. 341 to the committee on the Judiciary;

S. B. 419 to the committee on Corporations, and

S. B. 515, to the committee on Finance.

By consent,

Mr. Amis introduced a bill to amend "An act to incorporate the Oxford and Henderson Railroad Company," which is referred to the committee on Internal Improvements.

The committee on Enrolled Bills reports as correctly enrolled:

A resolution in favor of the Raleigh National Bank;

An act to authorize the commissioners of Craven county to issue bonds to fund the county debt and for other purposes;

An act to amend chapter 38, private laws of 1873-'74, relating to the weighing of cotton in the city of Raleigh.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 687, a bill to be entitled an act supplementary to acts farming out convicts in this State.

S. B. 52, a bill to make justices of the peace *ex-officio* rangers of townships in which they reside, is put on its third reading and passes, and is ordered to be enrolled for ratification.

H. B. 756, a bill amendatory of an act to establish a department of Agriculture, Immigration and Statistics, and for the encouragement of sheep husbandry in chapter 274 of the laws of 1876-'77, is put on its readings.

Mr. Reid of Macon, moves to lay the bill on the table; but withdraws the motion to admit discussion.

Mr. Bingham offers the following amendment:

"Amend by striking out $7,000 and insert $10,000; and, further, strike out $1,000 as salary."

After prolonged discussion of the bill, Mr. Reid renews the motion to lay the bill on the table.

On the passage of the bill, Mr. Mebane demands the previous question. The call is sustained, and the main question is ordered.

The question is on the motion of Mr. Reid of Macon, to table, upon which motion Mr. Norment demands the ayes and nays. The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Blalock, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Yancey, Cary, Chadwick, Click, Cooke, Council, Davis of Catawba, English, Foard, Grant, Harrell, Huffstetler, Jones, Johnson, Lockhart, Lutterloh, Meares, Moore, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of Macon, and Taylor—36.

Nays—Messrs. Atkinson, Barringer, Battle, Bernard, Berry, Bird, Bizzell, Blocker, Brown of Yadkin, Bruce, Burroughs, Cale, Carter of Warren, Carroll, Carson, Christmas, Clarke, Colwell, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Ferrell, Forbes, Foster, Foy, Gatling, Goldston, Harrison, Hewett, Hines, Hobbs, Holt, Lamb, Leach, Leatherwood, Mebane, Melson, Miller, Newell, Norment, Pettipher, Powers, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Smith, Turner, Vaughan, Waddell, Wheeler, Wimberly, Woodhouse, York, and Young—59.

The question is then put on the motion of Mr. Bost to refer the bill to the committee on Agriculture.

Upon which motion Mr. Norment demands the ayes and nays.

The call is sustained, and reference is ordered by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bateman, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Clarke, Click, Cobb, Colwell, Cooke, Council,

Davis of Catawba, Ellison, English, Etheridge, Foard, Forbes, Foster, Gatling, Grant, Harrell, Hewett, Hines, Huffstetler, Jones, Johnson, Leatherwood, Lindsay, Lockhart, Lutterloh, Meares, Moore, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Richardson of Columbus, Taylor, Vaughan, and Wynne—54.

Nays—Messrs. Atkinson, Barringer, Battle, Bernard, Berry, Bird, Bizzell, Blalock, Blocker, Brown of Yadkin, Bruce, Burroughs, Cale, Carson, Christmas, Deans, Dimsdale, Dixon, Dunn, Ewing, Ferrell, Foy, Goldston, Harrison, Hobbs, Holt, Lamb, Leach, Lowry, Mebane, Melson, Miller, Newell, Norment, Paxton, Pettipher, Reid of McDowell, Reynolds, Scott, Smith, Turner, Waddell, Wimberly, Woodhouse, York, and Young—46.

H. B. 403, a bill to authorize E. Everett, of Swain county, to collect arrears of taxes, passes its several readings and is ordered to be sent to the Senate without engrossment, and is so transmitted.

H. B. 679, a bill to amend the charter of the town of Chapel Hill, passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Battle, Bernard, Berry, Bird, Bizzell, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Holt, Huffstetler, Jones, Lamb, Leatherwood, Lindsay, Meares, Mebane, Miller, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Vaughan, Waddell, Wheeler, Wimberly, Woodhouse, York, and Young —75.

Nays—Messrs. Etheridge, Norment, Paxton, and Pettipher —4.

On motion of Mr. Clarke,

H. B. 416, a bill concerning livery stable and inn keepers, which was laid on the table during last night's session, is taken from the table and referred to the committee on the Judiciary.

H. B. 789, a bill for draining swamp lands in the counties of Columbus and Robeson with convict labor; and

H. B. 309, a bill to incorporate the town of Highlands, in Macon county, pass their several readings, and are ordered to be transmitted to the Senate for concurrence.

The Speaker causes the announcement of the following special committee on H. R. 174:

Messrs. Taylor, English and Blaisdell.

S. B. 342, a bill to amend an act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871, is announced; but pending consideration the House yields to the motion to adjourn, and the bill comes up to-morrow as the unfinished business;

And the House adjourns until to-morrow morning at 10 o'clock.

FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, Feb. 27th, 1879.

The House opens this morning at ten o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Norman of the city.

The Journal of yesterday is approved.

INTRODUCTION OF PETITIONS.

The following are introduced and referred to the committee on Corporations:

By Mr. Taylor,

A petition of Centennial Lodge, No. 96, I. O. O. F., Toisnot, Wilson county, asking for incorporation.

The following to the committee on Fish Interest:

By Mr. Colwell,

A petition of citizens of Duplin county, asking the passage of a law to protect fish in certain streams in Duplin county.

The following to the committee on Propositions and Grievances:

By Mr. Vaughan,

A petition of the citizens of Ashe, asking for the erection of a dam across New River in Ashe county;

By Mr. Covington,

A petition from citizens of Union county, asking the enactment of a law to protect blacksmiths and other mechanics.

The following to the committee on Agriculture:

By Mr. Covington,

A petition of citizens of Union county, asking the passage of a stock law.

And by Mr. Johnson,

Sundry petitions from citizens of Davie county, asking the passage of a stock law.

REPORTS OF COMMITTEES.

Mr. York, from the committee on Fish Interest, reports favorably on

H. B. 816, a bill to secure the free passage of fish in Hunting creek; on

H. B. 815, a bill to secure the free passage of fish in South Fork river; on

H. B. 471, a bill to protect young fish in the waters of North Carolina; on

S. B. 526, H. B. 831, a bill to prohibit fishing with nets or seines in Great Swamp, Wayne county; and on

S. B. 524, H. B. 830, a bill to prohibit fishing in Coneto creek, Pitt county.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

S. B. 568, H. B. 800, a bill to authorize the board of commissioners of Onslow county to issue bonds and for other purposes; on

S. B. 69, H. B. 743, a bill to regulate salaries and fees in certain cases, favorably with amendment, and recommends that

S. B. 560, H. B. 801, a bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists, be referred to the committee on the Judiciary.

Mr. Orchard, from the committee on Banks and Currency, reports favorably on

S. B. 426, H. B. 806, a bill to incorporate the Farmers' Bank of Milton, Caswell county, N. C.; on

S. R. 334, H. R. 158, a resolution proposing to raise a joint committee of eight to investigate the Bank of North Carolina; and favorably, with amendment, on

H. B. 819, a bill to incorporate the Piedmont Mining and Banking Company of North Carolina.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

H. B. 792, a bill to amend section 156, chapter 32, Battle's Revisal; on

H. B. 782, a bill concerning the fees of solicitors; on

H. B. 781, a bill to enlarge the powers of the justices of the supreme court in vacation; on

H. B. 227, a bill to amend the Constitution of North Carolina, Article II, section 3; on

H. B. 783, a bill to prescribe punishment for attempts to commit capital felonies, with amendments; and unfavorably on

H. B. 790, a bill to amend chapter 116, Battle's Revisal; on

S. B. 565, H. B. 748, a bill to re-convey a house and lot heretofore sold for taxes; and on

H. B. 791, a bill in reference to the qualification of jurors.

Mr. Leatherwood, from the committee on Railroads, Postroads and Turnpikes, reports on

H. B. 629, a bill to allow railroads to change their gauge, recommending the adoption of an accompanying substitute.

Mr. English, from the committee on Education, reports unfavorably on

H. B. 516, a bill to establish a house of refuge for the friendless children in the several counties of the State.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on

H. B. 812, a bill to authorize the appointment of a purchasing agent for the Insane Asylumn and Institution for the Deaf and Dumb and Blind; and unfavorably on

S. B. 567, H. B. 797, a bill to prevent obstruction to navigation in Newport river, Carteret county, &c.

Mr. Jones, from the committee on Corporations, reports favorably on

H. B. 811, a bill to appoint and settle a public ferry on the Great Pee Dee River; on

H. B. 778, a bill to incorporate the State Grand Lodge, No. 10, Independent Order of Good Samaritans and Daughters of Samaria.

The minority of the committee also submit a report on this bill.

Mr. Taylor, from the committee on Internal Improvements, reports favorably on

S. B. 343, H. B. 798, a bill to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Company; on

S. B. 363, H. B. 807, a bill to amend the charter of the Charlotte and Taylorsville Railroad Company; on

H. B. 834, a bill to amend the act to incorporate the Oxford and Henderson Railroad Company; and on

H. B. 519, a bill to aid in the completion of the Raleigh and Seaboard Railroad.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 758, a bill to be entitled "An act to incorporate Lodge No. 132, I. O. G. T."

H. B. 681, a bill to be entitled "An act to incorporate Bald Creek Baptist Church, in the county of Yancey."

H. B. 722, a bill to be entitled "An act to incorporate Stonewall Lodge, No. 99, I. O. O. F."

H. B. 486, a bill to be entitled "An act to amend chapter 161, laws of 1876–'77."

H. B. 640, a bill to be entitled "An act to incorporate Yancey County High School."

H. B. 753, a bill to be entitled "An act to repeal chapter 123, laws of 1866–'67."

The committee on Enrolled Bills reported as correctly enrolled:

An act to amend section 8, chapter 255, laws of 1876–'77.

An act to allow the county commissioners of Mitchell county to levy a special tax.

An act in relation to judgments on appeal from justices of the peace.

An act to authorize the commissioners of Brunswick county to submit to the people of the county the question of changing the county seat.

An act to repeal chapter 189 of laws of 1876 and 1877, and to lay off and construct public roads, &c.

An act to legalize Iron Duff township, in the county of Haywood.

An act relating to the city of Wilmington.

A resolution to develop the agricultural and other material interests of North Carolina.

An act to regulate the degrees of kinship within which persons in this State may not lawfully marry.

An act to give certain colored persons the right of inheritance.

An act to organize and incorporate the Christian Union.

An act to incorporate the Chapel Hill Iron Mountain Company.

An act to provide for the better proof of deeds executed beyond the State.

An act to secure the better drainage of the low bottom lands of Silver creek, in Burke county.

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Ferrell,

A resolution in favor of I. W. Rogers, late Keeper of the Capitol;

By Mr. Turner,

A resolution in regard to the indictment of Littlefield and Swepson, in Madison county;

By Mr. Turner,

A resolution concerning the property of the Cape Fear Navigation Company; and

By Mr. Cooke,

A resolution summoning witnesses in the contested election case of Brooks *vs.* Means.

INTRODUCTION OF BILLS.

The following bills are introduced and referred to the committee on Corporations:

By Mr. Taylor,

A bill to incorporate Centennial Lodge, No. 96, I. O. O. F., Toisnot, Wilson county;

By Mr. Richardson of Columbus,

A bill to incorporate Furniture Manufacturing Company;

By Mr. Ritchey,

A bill to incorporate the village of Big Lick, Stanley county;

By Mr. Bingham,

A bill to incorporate Freeman Chapel and Liberty Grove churches, in Randolph county; and

By Mr. Armstrong,

A bill to repeal an act entitled an act to amend an act entitled an act to incorporate the town of Lillington, New Hanover county.

By Mr. Cary,

A bill to amend section 2, article 2, of the Constitution of North Carolina, in relation to the duration of the sessions of the General Assembly; and

By Mr. Scott,

A bill to amend chapter 56, laws of 1876–'77, both of which are referred to the committee on the Judiciary.

By Mr. Scott,

A bill to prohibit the sale of liquors in certain localities, which is referred to the committee on Propositions and Grievances.

By Mr. Woodhouse,

A bill to authorize the commissioners of Currituck county to exchange the stock of the county in the Albemarle and Chesapeake Canal for the bonds of the county, which is referred to the committee on Finance.

By Mr. Colwell,

A bill to protect fish in certain streams in Duplin county, which is referred to the committee on Fish Interest, &c.

By Mr. Huffstetler,

A bill to prevent live stock from running at large in

Gaston county, which is referred to the committee on Agriculture, &c.

By Mr. Lutterloh,

A bill to amend chapter 285, laws of 1876–'77, which is referred to the committee on Education.

The following bills are introduced and placed on the Calendar:

By Mr. Council,

A bill in regard to indigent deaf mute and blind children;

By Mr. English,

A bill to revise and consolidate the public school law;

By Mr. Bonner,

A bill to establish normal schools at Trinity, Davidson and Wake Forest Colleges, and

By Mr. Turner,

A bill to repeal chapter 274, laws of 1876–'77.

Mr. McGehee, member elect from the county of Person, comes forward and is duly qualified and takes his seat as a member of the House.

Mr. Taylor, from the special committee to which H. R. 174 was referred, asks and obtains leave of absence during this day for said committee in the objects of its creation.

THE UNFINISHED BUSINESS

of last night's session, being

S. B. 342, a bill to amend an act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871, is announced; and the bill is put on its readings and passes, and is ordered to be enrolled for ratification.

Mr. Lockhart moves to reconsider the vote by which the bill passes, and to lay that motion on the table; and the motion to table prevails.

On motion of Mr. Henderson,

H. B. 811, a bill to appoint and settle a public ferry on

the Great Pee Dee River is taken up and passes its second reading.

Under a suspension of the rules, the bill comes up on its third reading.

Mr. McCorkle moves to postpone until Thursday next.

Pending the consideration of this motion,

THE SPECIAL ORDER,

S. B. 450, a bill to compromise, commute and settle the State debt, is announced.

On motion of Mr. Norment, on a division, the consideration of the special order is postponed five minutes.

The question is put on the motion to postpone until Thursday next and fails.

On motion of Mr. Cooke, the special order is postponed three minutes longer.

And the bill is then put on its third reading and passes, and is ordered to be sent to the Senate without engrossment; and it is so transmitted.

THE SPECIAL ORDER

is resumed.

Mr. York sends forward the following amendment:

"Provided nothing in the act shall be binding until the matter is submitted to the qualified voters of the State."

On motion of Mr. Atkinson, the action of the Rules of Order limiting debate is suspended during the discussion of the bill under consideration.

On the call of Mr. Brown of Mecklenburg, the previous question is ordered.

Notice of amendments are given by several gentlemen.

Mr. Atkinson rises to a question of personal privilege in

regard to expressions applying to him, used in the discussion of the bill.

The following amendment of Mr. York, of which previous notice was given, is offered:

Provided, Under the provisions of this act, not more than four millions of dollars shall be used to carry out the provisions of this act.

On the first amendment offered by Mr. York, Mr. Atkinson demanded the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Atkinson, Bernard, Berry, Carson, Chadwick, Christmas, Coffield, Council, Dunn, Ewing, Foy, Henderson, Hobbs, Leach, Lewis, Melson, Miller, Newell, Paxton, Turner, Wimberly Wynne, and York—23.

Nays—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Bingham, Bird, Bizzell, Blaisdell, Black, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancy, Carroll, Cary, Clarke, Click, Colwell, Cooke, Davis, of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrison, Hewett, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Moore, McCorkle, McGehee, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Vaughan, Venable, Wheeler, White, Woodhouse and Young—87.

Mr. Vaughan offers the following amendment:

Amend by striking out section eleven and inserting the following:

"That in case the State should ever pay to any of the holders of the bonds of the State of the classes mentioned in this act a greater rate of per cent. than is provided for in this act, then in such case the persons who had surrendered the bonds and received the per cent. on them, as provided for in this act, shall be entitled to receive from the State an advance on the bonds they surrendered sufficient to make an amount equal to that which the State shall so pay to any of the holders of such bonds."

The question is put on this amendment and it is rejected.

The question is put on the second amendment of Mr. York and it is rejected.

Under the notice given, Mr. York offered the following amendment:

Provided, "That all bonds issued under the provisions of this act shall be subject to taxation as other property or solvent credits of the people."

Upon the adoption of this amendment Mr. Vaughan demanded the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Amis, Anderson, Atkinson, Barringer, Battle, Bernard, Berry, Blalock, Bruce, Bryson, Carson, Chadwick, Christmas, Coffield, Council, Dunn, Ewing, Foster, Foy, Henderson, Hobbs, Leach, Lewis, Lutterloh, Mebane, Melson, Miller, Newell, Paxton, Richardson of Columbus, Scott, Turner, Vaughan, Venable, Wimberly, Woodhouse, Wynne, and York—38.

Nays—Messrs. Angier, Ardrey, Armstrong, Bateman, Bingham, Bird, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Buchan, Burroughs, Carter of Buncombe, Carroll, Cary, Clarke, Click, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans,

Dimsdale, Dixon, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Gatling, Goldston, Grant, Harrison, Hewett, Holt, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lindsay, Lockhart, Lowry, Meares, Moore, McGehee, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Roberson, Smith, Taylor, Wheeler, White, and Young—67.

Mr. Ellison proposes, under notice previously given, to offer an amendment.

Mr. McGehee raises the point of order that after the call of the previous question has been sustained and the House operating under its force, it is not competent to consider amendments which suggest matter not previously the subject of discussion.

The Speaker, Mr. Jones in the chair, sustains the point of order, and the amendment of Mr. Ellison is not admitted.

The bill is then put on its second reading, and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Buchan, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Clarke, Click, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Foy, Foster, Gatling, Goldston, Grant, Harrison, Hewett, Hobbs, Holt, Horton, Huffstetler, Jones, Johnston, Lamb, Leatherwood, Lindsay, Lockhart, Lowry, Meares, Mebane, Melson, Moore, McCorkle, McGehee, Norment, Oliver, Orchard, Osbone, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Scott, Smith, Taylor, Venable, Wheeler, White, Wimberly, Woodhouse, and Young—91.

Nays—Messrs. Atkinson, Berry, Cale, Carson, Chadwick,

Council, Ewing, Henderson, Leach, Lewis, Miller, Newell, Paxton, Turner, Vaughan, Waddell, Wynne, and York—19.

On motion of Mr. Norment, the bill is made the special order for to-morrow at half-past eleven o'clock, A. M.

On motion of Mr. Cooke,

H. R. 198, a resolution authorizing the summoning of witnesses in the case of J. H. Brooks *vs.* A. C. Meares, is put on its passage and is adopted.

On motion of Mr. Foard,

S. B. 69, a bill to regulate salaries and fees in certain cases, is made the special order for to-night at 8 o'clock.

And, on motion, the House adjourns until this evening at half-past seven o'clock.

EVENING SESSION.

WEDNESDAY, Feb. 27th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

Mr. Rawley, from the committee on Internal Improvements, makes a report on

H. B. 500, a bill to amend chapter 106, laws of 1876–'77; and on his motion the bill is made the special order for Tuesday, March 4th, at 11 o'clock A. M.

Mr. Rawley moves to suspend the rules to put

H. B. 649, a bill to amend chapter 202, laws of 1868–'69, on its readings.

The motion is adopted, and the bill passes and is ordered to be sent to the Senate without engrossment, and it is so transmitted.

Mr. Taylor, from the special committee to consider

H. R. 174 makes a report from said committee, which is placed on the Calendar.

H. B. 596, a bill in relation to the boundary line between the counties of Brunswick and Columbus, is taken up on motion of Mr. Meares, but pending discussion,

THE SPECIAL ORDER,

being S. B. 69, a bill in relation to salaries and fees, is announced.

On motion of Mr. Meares the special order is postponed until the matter before the House is disposed of.

H. B. 596 is again resumed and passes its several readings, and is ordered to be sent to the Senate without engrossment, and is so transmitted.

Mr. Speaker Moring caused to be announced that Mr. McGehee is added to the committees on the Judiciary, Finance and State Debt.

The special order is resumed, and the bill and the amendments of the committee are read.

The amendments are ordered to be considered *seriatim.*

The question is on the first amendment, upon which Mr. Foard demands the ayes and nays, which is sustained.

Mr. Goldston offers the following amendment to the amendment:

Strike out "eight hundred" and insert "ten hundred and fifty."

On the passage of the bill, Mr. Richardson of Columbus, calls the previous question, which call is sustained, and the main question ordered.

The question is on the amendment of Mr. Goldston, which is rejected, and it is then put on the 1st amendment of the committee, which is rejected by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Ber-

nard, Blaisdell, Blalock, Brown of Mecklenburg, Burroughs, Carter of Buncombe, Carter of Yancey, Carson, Chadwick, Cobb, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Ferrell, Gatling, Goldston, Grant, Harrell, Hewitt, Hines, Holt, Huffstetler, Jones, Johnson, Lewis, Lockhart, Meares, Melson, Moore, McCorkle, Oliver, Rawley, Reid of Macon, Richardson of Columbus, Roberson, Woodhouse and York—43.

Nays—Messrs. Amis, Barringer, Bateman, Battle, Berry, Bingham, Bird, Bizzell, Blocker, Bost, Brown of Yadkin, Bruce, Bryson, Buchan, Cale, Carroll, Cary, Christmas, Clarke, Click, Coffield, Covington, Deans, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foard, Forbes, Foster, Foy, Harrison, Henderson, Hobbs, Horton, Lamb, Leach, Leatherwood, Lindsay, Lowry, Lutterloh, Mebane, Miller, McLean, Norment, Orchard, Osborne, Paxton, Powers, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, Wimberly, Wynne and Young—66.

The question is then upon the second amendment of the committee, upon the adoption of which,

Mr. Foard demands the ayes and noes.

The call is sustained, and the amendment is adopted by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Bateman, Bernard, Blaisdell, Blalock, Bost, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carson, Chadwick, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Ellison, Ferrell, Foster, Foy, Goldston, Grant, Harrell, Hewett, Horton, Huffstetler, Jones, Johnson, Lewis, Lockhart, Lowry, Meares, Melson, Moore, McCorkle, Oliver, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Roberson, Smith, Taylor, and Woodhouse—55.

Nays—Messrs. Amis, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bizzell, Brown of Yadkin, Carroll, Cary,

Clarke, Click, Deans, Dimsdale, Dixon, Dunn, English, Ewing, Foard, Forbes, Harrison, Henderson, Hobbs, Lamb, Leach, Leatherwood, Lindsay, Lutterloh, Mebane, Miller, McLean, Norment, Osborne, Paxton, Powers, Reynolds, Ritchey, Scott, Turner, Waddell, Wheeler, Wimberly, Wynne, York, and Young—46.

Mr. Jones appeals from the Chair, upon a question of recognition by the Speaker; and the decision of the Chair is sustained.

On the adoption of the third amendment of the committee, Mr. Ellison demanded the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Angier, Armstrong, Atkinson, Barringer, Bateman, Berry, Bingham, Blalock, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carson, Chadwick, Christmas, Click, Colwell, Cooke, Deans, Ewing, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hewett, Huffstetler, Johnson, Lamb, Lewis, Lowry, Meares, Miller, Oliver, Orchard, Rawley, Richardson, Smith, York and Young—43.

Nays—Messrs. Amis, Andrey, Armstrong, Battle, Bernard, Bird, Bizzell, Blaisdell, Blocker, Brown of Yadkin, Bryson, Carter of Buncombe, Cary, Clarke, Cobb, Coffield, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foy, Harrison, Henderson, Hobbs, Horton, Jones, Leach, Leatherwood, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McLean, Norment, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Scott, Taylor, Turner, Vaughan, Venable, Waddell, Wheeler, Wimberly and Woodhouse—60.

And the question is then on the bill on its second reading, and it passes.

On motion of Mr. Blaisdell, the House adjourns until tomorrow at 10 o'clock, A. M.

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
Friday, Feb. 28th, 1879

The House meets this morning at half-past ten, and is called to order by Mr. Speaker Moring.

The Journal of yesterday is partly read, and stands as approved.

INTRODUCTION OF PETITIONS, &C.

The following are introduced and referred to the committee on Propositions and Grievances:

By Mr. Richardson of Columbus,

A petition from a portion of the citizens of Piney Forest church, asking for the passage of a law prohibiting the sale of liquor within three miles of said church;

By Mr. Reynolds,

A petition of citizens of Littleton, asking the repeal of the prohibitory law;

And a counter petition, by the same, from citizens of Halifax county, against the repeal of the prohibitory law.

The following to the committee on the Fish Interest:

By Mr. Holt, a petition from citizens of Johnston county, asking for the protection of fish in the waters of Johnston county.

And to the committee on Agriculture:

By Mr. White,

Three petitions from citizens of Halifax county against the enactment of a no fence law.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. B. 843, a bill to authorize the commissioners of Currituck county to exchange the stock of said county in the Albemarle and Chesapeake Canal Company for the bonds of the county; on

S. B. 167, H. B. 799, a bill to extend the charter of certain banks, a reference to the committee on the Judiciary is recommended; and favorably on

S. B. 515, H. B. 824, a bill to allow the county of Iredell to fund her outstanding railroad bonds.

Mr. Gatling, from the Finance Committee, reports favorably on

S. B. 580, H. B. 805, a bill to fund the floating debt of Edgecombe county, and unfavorably on

H. B. 414, a bill for the relief of sundry citizens of Hertford county.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorably on

H. B. 620, a bill to relieve the tax payers of North Carolina; on

H. B. 683, a bill to prevent the felling of timber or placing logs in Eno river, Orange county; on

H. B. 682, a bill to incorporate Chapel Hill Methodist Church, a reference to the Committee on Corporations is recommended; and unfavorably on

H. B. 842, a bill to prohibit the sale of liquor in certain localities.

Mr. McLean, from the committee on Education, reports favorably on

S. B. 441, H. B. 832, a bill to authorize the town of Asheville, Buncombe county, to levy taxes for the support of graded schools, and on

H. B. 846, a bill to amend chapter 285, laws of 1876–'77.

Mr. Bernard, from the committee on Counties, Cities, Towns and Townships, reports favorably on

H. B. 717, a bill to extend the corporate limits of the

town of Monroe, Union county, and for other purposes, and unfavorably on,

H. B. 521, a bill concerning the annexation of Goose Creek Island township to Beaufort county.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 839, a bill to repeal an act to amend an act to incorporate the town of Lillington, New Hanover county.

Mr. Ardrey, from the committee on Agriculture, reports unfavorably on

H. B. 756, a bill amendatory of an act to establish a department of Agriculture, Immigration, Statistics, &c.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are trasmitted to the Senate for concurrence:

H. B. 823, a bill for the relief of John H. Cox, sheriff of Perquimans county;

H. B. 789, a bill to provide for the draining of the swamp lands of the counties of Columbus and Robeson by convict labor;

H. B. 309, a bill to incorporate the town of Highlands, in the county of Macon.

The committee on Enrolled Bills reports as correctly enrolled:

"An act to repeal an act entitled an act to establish a criminal court for the county of Wake."

INTRODUCTION OF RESOLUTIONS.

The following resolutions are introduced and placed on the Calendar:

By Mr. Turner,

A resolution concerning the ring and the conduct of a member; and

By Mr. Hobbs,

A resolution in favor of R. Clayton, &c.

INTRODUCTION OF BILLS.

By Mr. Reynolds,

A bill to amend chapter 239, section 1, laws 1874–'75, relative to the sale of liquor at Littleton, Halifax and Warren counties;

By Mr. Clarke,

A bill for the protection of hotel keepers, landlords, &c., which is referred to the committee on Propositions and Grievances.

The following bills are introduced and placed on the Calendar:

By Mr. Barringer,

A bill to abolish the fees of justices of the peace in criminal cases;

By Mr. Lutterloh,

A bill for the relief of the sureties on the official bond of the late tax collector of the town of Fayetteville; and

By Mr. Lutterloh,

A bill to provide for the resignations of municipal officers.

The morning hour having expired,

On motion of Mr. Carson,

H. B. 819, a bill to incorporate the Piedmont Mining and Banking Company of North Carolina, is put on its second reading and is discussed until the announcement of

THE SPECIAL ORDER,

being

S. B. 450, a bill to commute, compromise and settle the State debt, which,

On motion, is displaced for five minutes.

At the expiration of that time, Mr. York renews the motion to further suspend; and the House, on a division, refuses to postpone, and

THE SPECIAL ORDER

is again announced.

Mr. Mebane offers the following amendment:

In section 5, line 1, after the word "shall," insert the word "not."

In section 13, line 23, after the word "shall," insert the word "not."

On the passage of the bill, Mr. Brown of Mecklenburg, demands the previous question.

The call is sustained, and the main question is ordered.

The question is on the amendment offered by Mr. Mebane, which is put and rejected by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Blalock, Bonner, Bruce, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Council, Davis of Haywood, Dimsdale, Ewing, Foster, Foy, Goldston, Harrell, Henderson, Hobbs, Leach, Lewis, Lockhart, Mebane, Melson, Miller, Newell, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Turner, Vaughan, Venable, Woodhouse, Wynne, and York—52.

Nays—Messrs. Ardrey, Armstrong, Bateman, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Buchan, Carter of Buncombe, Carroll, Clarke, Cobb, Cooke, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, Ferrell, Foard, Forbes, Gatling, Grant, Harrison, Hewett, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Moore, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of

Macon, Reid of McDowell, Reynolds, Roberson, Smith, Taylor, Waddell, Wheeler, White, Wimberly, and Young—64.

The question is then on the following amendment of Mr. York, under notice given:

"*Provided*, this act shall not interfere with the school fund of the State."

And on a division it is rejected by a vote of 47 ayes, 48 nays.

The question is then put on the bill on its third reading, and it passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Angier, Ardrey, Armstrong, Bateman, Bernard, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Clarke, Cobb, Colwell, Cooke, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Gatling, Grant, Harrison, Hewett, Hines, Holt, Horton, Huffsteler, Jones, Johnson, Lamb, Leatherwood, Lowry, Meares, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Roberson, Scott, Smith, Taylor, Venable, Wheeler, White, Woodhouse, and Young—69.

Nays—Messrs. Amis, Anderson, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bonner, Bruce, Bryson, Cale, Carter of Warren, Carson, Chadwick, Christmas, Click, Coffield, Council, Dimsdale, Ewing, Foster, Foy, Goldston, Harrell, Henderson, Hobbs, Leach, Lewis, Lindsay, Lockhart, Mebane, Melson, Miller, McCorkle, Newell, Paxton, Pettipher, Richardson of Columbus, Richardson of Wake, Ritchey, Turner, Vaughan, Wimberly, Wynne, and York—48.

Mr. Cooke moves to reconsider the vote by which the bill

passed its third reading, and to lay that motion on the table.

On the motion to table the motion to reconsider, Mr. Vaughan demands the ayes and nays.

The call is sustained, and the motion to table is carried by the following vote:

Ayes—Messrs. Angier, Ardrey, Armstrong, Bateman, Bernard, Bizzell, Blaisdell, Blalock Blocker, Bost, Brown of Mecklenburg, Brown of Yadkin, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Clarke, Cobb, Colwell, Cooke, Covington, Davis of Catawba, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ferrell, Foard, Forbes, Gatling, Grant, Harrison, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lowry, Meares, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Roberson, Scott, Smith, Taylor, Venable, Wheeler, White, Woodhouse, and Young—68.

Nays—Messrs. Amis, Anderson, Atkinson, Barringer, Battle, Berry, Bingham, Bird, Bonner, Bruce, Bryson, Cale, Carter of Warren, Cary, Chadwick, Christmas, Click, Coffield, Council, Davis of Haywood, Ewing, Foster, Foy, Goldston, Henderson, Hewett, Hobbs, Leach, Lewis, Lindsay, Lockhart, Mebane, Melson, Miller, McCorkle, Newell, Paxton, Pettipher, Richardson of Columbus, Richardson of Wake, Ritchey, Turner, Vaughan, Wimberly, Wynne, and York—46.

Mr. Vaughan gives notice of his intention to enter a protest against the passage of the bill.

The Speaker announced the

SECOND SPECIAL ORDER,

but on motion the House adjourns until this evening at half-past seven o'clock.

EVENING SESSION.

FRIDAY, Feb. 28th, 1879.

The House meets at half-past seven o'clock, Mr. Speaker Moring in the chair.

Mr. Atkinson rises to a question of personal privilege in regard to a publication in the *News* newspaper of this morning, reflecting upon him in connection with the debate on the bill concerning the Agricultural Department.

LEAVE OF ABSENCE

is granted

To Mr. Scott until Tuesday,

To Mr. Hines until Tuesday,

To Mr. Smith until Monday, and

To Mr. Clarke until Monday.

An announcement is made of an invitation extended to the members of this General Assembly to visit Newbern and Beaufort on to-morrow.

THE UNFINISHED BUSINESS

of this morning is announced, being

H. B. 819, a bill to incorporate the Piedmont Mining and Banking Company of North Carolina, and it is put on its several readings.

The amendments of the committee are adopted, and as amended the bill passes, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. English,

H. B. 751, a substitute for

H. B. 718, a bill to provide for the support of the Penitentiary for the years 1879-'80, is made the special order for Monday 11 A. M.

Mr. Rawley, from the committee on Internal Improvements, reports favorably on

S. B. 128, a bill to incorporate the Bennettsville and Hamlet Railroad Company.

Mr. Orchard, from the committee on Corporations, reports favorably on

S. B. 358, a bill to amend and revise the charter of the town of Winston.

By consent,

Mr. Richardson of Columbus, introduces a bill to amend chapter 129, private laws of 1874–'75, which is referred to the committee on Corporations; and

By consent,

Mr. Blalock introduces a bill to protect mountain trout in Mitchell county.

On motion of Mr. Roberson,

H. B. 519, a bill to aid in the construction of the Seaboard and Raleigh Railroad, is made the special order for March 3d, at 12 M.

The committee on Enrolled Bills reports as correctly enrolled:

An act to incorporate River Side Camp Ground, in the county of Ashe;

An act to define the criminal jurisdiction of justices of the peace;

An act to make the Tuckasiege river in Jackson county a lawful fence;

An act to prevent the felling of timber in Silver creek in Burke county;

An act providing for the exemption of certain personal property from sale under execution;

An act to incorporate the Trustees of Brook's Chapel Camp Ground in Cleaveland county;

An act to amend section 7, chapter 255, laws of 1876–'77, in regard to the holding the courts in the 7th judicial district;

Resolution in regard to purchasing stationery;

An act to allow Milton township, in the county of Caswell, to subscribe fifteen thousand dollars in payment of stock in the Milton & Sutherlin Narrow Guage Railroad Company, and for other purposes;

An act for the drainage of lowlands of Muddy creek in the county of McDowell;

An act for the relief of certain citizens in the counties of New Hanover, Union, Hertford and Washington;

An act to make justices of the peace *ex officio* rangers for the townships of the counties in which they reside.

An act to amend section 40, chapter 105, of Battle's Revisal, regulating the fees of jailors;

An act to incorporate the North Carolina chemical works;

An act to punish the abduction of children under the age fourteen years.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 410, a bill to amend chapter 32, sections 154 and 155, Battle's Revisal; and

S. R. 164, a resolution amending a resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly, &c.

S. B. 440 is referred to the committee on the Judiciary; and

S. R. 164 is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. R. 716, a resolution requiring the Secretary of State to furnish judges and solicitors copies of certain important acts of the present General Assembly, which is read the first time in this House and referred to the Judiciary Committee.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills, and asking concurrence in the same:

S. B. 430, a bill relating to public roads and highways;

S. B. 522, a bill to incorporate the Burgaw and Onslow Railroad Company;

S. B. 228, a bill to incorporate the Oak City Lodge of Knights of Honor, No. 419; and

S. B. 147, a bill to prevent gambling in railroad cars.

They are read the first time and referred as follows:

S. B. 430 to the committee on Public Roads;

S. B. 522 to the committee on Internal Improvements;

S. B. 228 to the committee on Corporations;

S. B. 147 to the committee on Propositions and Grievances.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills and asking the concurrence of the House therein:

S. B. 476, a bill to abolish the Insane Asylum of North Carolina, and to incorporate the North Carolina Insane Asylum; and

S. B. 416, a bill to repeal that part of chapter 260, laws of 1876–'77, prohibiting the sale of liquor within three miles of Lawrence's Church, Edgecombe county.

They are read the first time in this House and referred as follows:

S. B. 41 to the committee on Propositions and Grievances; and

S. B. 476 is made the special for order March 4th, at 8 P. M.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting engrossed Senate amendments to the following bills:

H. B. 53, S. B. 210; H. B. 111, S. B. 550; H. B. 456, S. B. 448; and H. B. 296, S. B. 412; and they are concurred in, and the bills as amended are ordered to be enrolled for ratification.

Also transmitting Senate amendments to

H. B. 43, S. B. 386, which,

On motion of Mr. Carter of Buncombe, are not concurred in, and a committee of conference is asked for.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 25, a bill to amend chapter 87, laws of 1870–'71, in regard to Rock Spring Camp Ground, which is referred to the committee on Corporations.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 572, a bill to provide for the support of the North Carolina Institution for the Deaf, Dumb and Blind, and the same is placed on the Calendar.

A MESSAGE FROM THE SENATE

is received transmitting

S. R. 192, a resolution requesting our members in Congress to procure an appropriation to make Lumber river navigable; and the resolution is placed on the Calendar.

A MESSAGE FROM THE SENATE

is received requesting the return of

H. B. 205, S. B. 630, a bill to protect fish in Yadkin and Catawba rivers, laws 1876–'77, with engrossed amendments thereto, sent to your honorable body this morning.

It is so ordered.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, and asking the concurrence therein of the House:

H. B. 477, a bill to repeal chapter 59, an act to provide a suitable house for the Governor, and to abolish the assistant clerkship of the Executive office;

S. B. 248, a bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity;

S. B. 471, a bill to authorize the commissioners of the town of Goldsboro to issue bonds, &c.;

S. B. 223, a bill to repeal chapter 32, Battle's Revisal;

S. B. 493, a bill to incorporate the North Carolina Industrial Association;

S. B. 517, a bill to levy a special tax in Perquimans county.

They are read the first time in this House and referred as follows:

S. B. 477, to committee on Propositions and Grievances;

S. B. 248, to committee on Corporations;

S. B. 471, to committee on Finance;

S. B. 223, to committee on Agriculture;

S. B. 493, to committee on Corporations; and

S. B. 417, to committee on Finance.

A MESSAGE IS RECEIVED FROM THE SENATE

announcing the passage of

H. R. 185, S. R. 613, a resolution in regard to the purchase of stationery, and that the same has been ordered to be enrolled for ratification; and transmitting

S. B. 453, a bill to amend an act passed in 1869–'70, entitled an act to incorporate the trustees of Greensboro Female College, and asking the concurrence of the Senate in the

same. The bill is referred to the committee on Corporations.

THE SPECIAL ORDER,

being the machinery bill, is announced.

On motion of Mr. Amis,

S. B. 69, a bill to regulate salaries and fees, is made the special order for Monday night at 8 o'clock.

On motion of Mr. Richardson of Columbus, the machinery bill is made the special order for to-morrow at half-past 10 o'clock.

The special order, the second for to-night, being

H. B. 368, a bill to establish stock regulations in sections that may so elect, is taken up. Many amendments, embracing numerous counties in the provisions of the bill, are sent forward, when

On motion of Mr. Bost, the bill is tabled.

On motion of Mr. Davis of Catawba, the special order is postponed for five minutes, and

H. B. 736, a bill to incorporate Ball's Creek M. E. Church Camp Ground, in Catawba county, is put on its readings and passes, and is sent to the Senate without engrossment.

On motion of Mr. Lockhart, the special order is still farther postponed, and

H. B. 739, a bill to provide commutation for Edmund D. Gaddy, a disabled soldier, is put on its readings. Amendments are offered, but subsequently withdrawn, and the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Carter,

S. R. 716, a resolution requiring the Secretary of State to furnishes judges and solicitors copies of certain important acts of the present General Assembly, is put on its passage and adopted and ordered to be enrolled for ratification.

On motion of Mr. Bost,

S. B. 487, a bill to prevent live stock from running at large in Rowan, Davie and other counties, is taken up.

Mr. Bost offers an amendment, which is accepted, and the question is then on the amendments embracing other counties in the provisions of the bill, which are adopted, and the bill as amended passes its third reading by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Berry, Bizzell, Blalock, Bonner Bost, Brown of Mecklenburg, Brown of Yadkin, Bryson, Burroughs, Carter of Yancey, Click, Cobb, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Deans, English, Foard, Forbes, Foster, Gatling, Goldston, Harrell, Hewett, Holt, Huffstetler, Jones, Johnson, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Ritchey, Taylor, Vaughan, Wheeler, York and Young—61.

Nays—Messrs. Battle, Buchan, Carter of Warren, Carson, Chadwick, Christmas, Ferrell, Foy, Harrison, Horton, Leach, Lewis, Miller, Newell, Norment, Osborne, Pettipher, Reynolds, Turner, Venable, Waddell, and Wimberly—22.

S. B. 515, a bill to allow the county of Iredell to fund her outstanding railroad bonds, is put on its readings and passes and is ordered to be enrolled for ratification.

Mr. Covington moves the Calendar be placed at the disposal of the Speaker for the remainder of the session.

Mr. Turner moves to lay that motion on the table.

The motion to table is lost, and the motion of Mr. Covington is adopted.

H. B. 737, a bill to prevent the felling of timber and other obstructions in Angola and Shelter creeks, in Pender county, is put on its readings and passes and is ordered to be engrossed and sent to the Senate.

The following bills pass their several readings and are ordered to be sent to the Senate without engrossment:

A bill to amend chapter 152, laws of 1871–'72, relating to the destruction of fish in Black river and Six Runs, in Sampson and other counties;

H. B. 712, a bill for the relief of James F. Somers, former sheriff of Wilkes county;

H. B. 713, a bill to incorporate Ætna Gold Company of North Carolina; and

H. B. 821, a bill to incorporate Tusquitto M. E. Church, South, in Clay county, N. C.

S. B. 583, a bill to amend chapter 96, section 3, of laws of 1876–'77, an act to incorporate the town of Denver, in Lincoln county, is put on its readings and passes, and is ordered to be enrolled for ratification.

By consent,

Mr. Mebane introduces a bill to pension Confederate soldiers who lost a limb in the late war, which is referred to the committee on Finance.

H. B. 715, a bill to provide for the removal of the county seat of Polk county, is put on its readings. The amendments of the committee are adopted, and as amended the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 594, a bill to change the time of holding the courts of the sixth judicial district, is put on its readings.

The substitute offered by the committee is adopted, and the bill as substituted passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Powers moves to adjourn, and the House refuses to adjourn.

H. B. 526, a bill to incorporate Smith's Bridge High School Joint Stock Company; and

H. B. 566, a bill to incorporate Yellow Mountain Church, in the county of Mitchell, pass their several readings, and

are ordered to be engrossed and sent to the Senate for concurrence.

On motion,

S. B. 476, a bill to abolish the Insane Asylum of North Carolina and incorporate the North Carolina Insane Asylum, is made the special order for March 4th, at 8 o'clock P. M.

H. B. 787, a bill to be entitled an act to provide for purchasing land sold under execution by the several boards of county commissioners in the State, is taken up, passes its second and third readings and is ordered to be engrossed and sent to the Senate.

H. B. 489, a bill to incorporate the Rocky Mount Benevolent Aid Society is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate.

H. B. 618, a bill to be entitled an act to incorporate the town of Mount Holly in Gaston county, is put upon its passage.

The amendments offered by the committee on Corporations are adopted, and the bill passes its second and third readings and is ordered to be engrossed and sent to the Senate.

H. B. 834, a bill to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company, is put upon its passage and passes by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Bateman, Battle, Berry, Bizzell, Blocker, Bonner, Brown of Mecklenburg, Brown of Yadkin, Bruce, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Cary, Chadwick, Christmas, Click, Cobb, Colwell, Cooke, Council, Davis of Madison, Deans, Dixon, English, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Holt, Horton, Huffstetler, Johnson, Lewis, Lindsay, Lockhart, Lowry, Mebane, McLean, Oliver, Orchard, Osborne, Powers,

Rawley, Reid of McDowell, Reynolds, Ritchey, Taylor, Vaughan, Wheeler, Wimberly, York, and Young—66.

Nays—Messrs. Blaisdell, Blalock, and Miller—3.

Mr. Holt moves that this House do now adjourn, and upon a division the House refuses to adjourn by a vote of 32 ayes and 34 nays.

H. B. 497, a bill to repeal section 20 of an act to establish an Agricultural Bureau, &c., is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate.

Mr. Blaisdell moves to adjourn, and upon a division the motion does not prevail.

H. B. 612, a bill to provide for the free passage of fish up Neuse river and Swift and Middle Creeks, in Johnston county, is taken up, passes its second and third readings, and is ordered to be engrossed and sent to the Senate.

On motion of Mr. Turner, it is ordered by the House that the report of the Special Committee on

H. R. 174 be made the special order for to-morrow at 12 M.

H. B. 579, a bill to be entitled an act to require the registration of births and deaths in the State, is taken up, and on motion of Mr. Burroughs, is laid on the table.

By consent,

Mr. Cobb, for the committee on Privileges and Elections, reports favorably on

S. B. 397, H. B. 601, a bill to be entitled an act to amend the election law; it takes its place on the Calendar; and afterwards passes its second reading.

Mr. Blaisdell moves to adjourn, and the motion does not prevail.

Mr. Anderson moves that

S. B. 397, H. B. 601, be put upon its third and final reading. A division being had, and no quorum voting, Mr. Anderson demands a call of the House, and a call of the

House is had and the following gentlemen answered to their names:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Berry, Bizzell, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Christmas, Click, Cobb, Council, Davis of Madison, Deans, English, Etheridge, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Hewett, Holt, Huffstetler, Jones, Leach, Lewis, Lockhart, Lowry, Lutterloh, Mebane, Melson, McLean, Oliver, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reynolds, Ritchey, Taylor, Vaughan, Wheeler, Wimberly, York, and Young —63.

Pending the consideration of the motion to put the bill on its third reading, the House yields to a motion of Mr. Blocker to adjourn until to-morrow morning at 10 o'clock.

FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
Saturday, March 1st, 1879.

The House meets this morning at half-past ten o'clock, and is called to order by Mr. Speaker Moring.

The reading of the Journal of yesterday is dispensed with and stands as approved.

INTRODUCTION OF PETITIONS.

By Mr. Lewis,

A petition of citizens of Halifax and Nash counties in

regard to the removal of waters running into Tar river; which is referred to the committee on Propositions and Grievances.

By Mr. Brown of Mecklenburg,

A petition of farmers of Mecklenburg county, asking the abolition of the privilege tax on farm products; which is referred to the committee on Finance.

LEAVE OF ABSENCE

is granted to Mr. Venable until Wednesday.

To Mr. Lindsay indefinitely, on account of sickness in family.

To Mr. Scott until Wednesday.

Mr. Richardson of Columbus, rises to a question of personal privilege in relation to a recent article in the New York *Times* newspaper, making false and slanderous charges against him as a former member of this House.

Mr. Vaughan rises to a question of personal privilege in relation to the same matter.

Mr. Davis of Haywood, rises to a question of personal privilege in regard to slanderous assaults made in a late issue of the New York *Times* reflecting on D. S. Ferguson, former Representative from the county now represented by Mr. Davis of Haywood, which question of privilege is entertained by leave of the House.

Mr. Norment arises to a question of personal privilege in reference to the same matter.

REPORTS OF COMMITTEES.

Mr. Richardson of Columbus, from the committee on Finance, reports on the following bills:

H. B. 591, a bill to prevent the sale of railroad and other corporation bonds at reduced rates, for the final redemption of which tax may have to be levied and collected; and

S. B. 560, H. B. 801, a bill to revise and collect the tax

lists of Alamance county, and to authorize the collection of the taxes due on said lists, recommending their reference to the committee on the Judiciary.

Mr. Blalock, from the committee on Fish Interest, reports favorably on

H. B. 858, a bill to protect mountain trout, in the county of Mitchell.

Mr. Bost, from the committee on Propositions and Grievances, reports unfavorably on

H. B. 652, a bill to prohibit the sale of spiritous liquors within three miles of the church in Brevard, Transylvania county.

Mr. Cooke, from the Judiciary Committee, reports unfavorably on

H. B. 528, a bill to be entitled "An act to facilitate the execution of guardian bonds."

Mr. Bernard, from the committee on Counties, Cities, Towns, etc., reports favorably, with amendments, on

H. B. 520, a bill to create a municipal board of record for each county in the State.

Messrs. Cooke and Vaughan submit a minority report from the Judiciary Committee on

S. B. 560, H. B. 801.

Mr. English, from the committee on Engrossed Bills, reports the following bill and amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 819, a bill to incorporate the Piedmont Mining and Banking Company of North Carolina;

Engrossed amendments to

S. B. 748, H. B. 741, a bill to prevent live stock from running at large in Rowan, Davie and other counties in this State.

INTRODUCTION OF BILLS.

By Mr. Cary,

A bill in relation to the public schools of the State, which is referred to the committee on Finance.

The following bills are introduced and referred to the committee on Propositions and Grievances:

By Mr. Lewis,

A bill to incorporate the Fishing Creek and Tar River Improvement Company;

By Mr. York,

A bill to amend chapter 260, laws of 1876–'77; and

By Mr. Cooke,

A bill to authorize the commissioners of Edgecombe county to appoint a tax collector.

By Mr. Bizzell,

A bill to incorporate the Newton Grove Literary Association Reading Room, which is referred to the committee on Corporations.

By Mr. Bost,

A bill for the better management of State property, which is placed on the Calendar.

By Mr. Richardson of Wake,

A bill to establish a criminal judicial district and provide courts for the same, which is referred to the committee on the Judiciary.

By the same,

A bill to prevent live stock from running at large in such townships in Wake county as may so vote, which is referred to the committee on Agriculture, etc.

On motion,

THE SPECIAL ORDER,

the "Machinery Act," is postponed until one o'clock P. M. on Monday.

On motion,

H. B. 620, a bill to relieve the tax payers of North Carolina, is postponed until Monday, at half-past one o'clock P. M.

On motion of Mr. Foard,

H. B. 164, a bill to amend the Constitution of North Carolina, in reference to the support of the deaf mutes and the insane of the State, is made the special order for 7 o'clock Wednesday evening.

On motion of Mr. Carson,

S. B. 161, H. B. 647, a bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, is made the special order for Tuesday evening.

On motion of Mr. McLean,

H. B. 848, a bill to revise and consolidate the public school laws, is made the special order for 12 o'clock M., on Wednesday.

H. B. 854, a bill for the relief of sureties on the official bond of the late tax collector of Fayetteville, is taken up and passes its third reading and is sent to the Senate without engrossment for concurrence.

S. B. 343, H. B. 798, a bill to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Campany, is taken up.

Mr. Holt offers the following amendment, which is adopted:

In section 17 insert after the word "that" in line one the words "section sixteen of."

The bill as amended passes its several readings, and the amendment ordered to be engrossed and sent to the Senate for concurrence.

H. B. 843, a bill to authorize the commissioners ot Currituck county to exchange the stock of said county in the Albemarle and Chesapeake Canal for the bonds of the county,

is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Vaughan presents a minority report on

H. B. 560, a bill to legalize Iron Duff township, Haywood county.

Mr. Orchard offers a resolution that the House adjourn this day at 1:30 P. M., to meet on the 3rd instant at 1 P. M., and continue in session until 5 P. M.

By amendment the hour of adjournment is made 2 P. M., instead of 1:30 P. M.

On the passage of the resolution Mr. Mebane calls for the ayes and nays. The call is not sustained, and the resolution as amended is adopted.

S. B. 489, H. B. 780, a bill to authorize the county of Madison to pay the claims of certain school teachers, is taken up.

Mr. Davis of Madison, offers the following amendment, which is accepted:

Amend section 1 by striking out the words immediately after the words *Provided, however*, "that they shall not pay for any service rendered prior to 1875."

And on motion of Mr. Foard, the counties of Surry and Clay are placed in the bill.

The bill passes its several readings, and amendments are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 760, a bill for the better security of counties against costs in criminal actions, is taken up.

The substitute reported by the committee is adopted, and the bill passes its several readings and is sent to the Senate without engrossment for concurrence.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 702, a bill to amend chapter 137, laws of 1873-'74, etc., and asking the concurrence of the House. The bill is placed on the Calendar.

H. B. 617, a bill to ascertrin the indebtedness of Madison county, is taken up. The amendments offered by the committee are adopted, and the bill passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

SPECIAL ORDER.

H. R. 174, a resolution to recover the State's property, and indict certain persons for spoliation of the State, being the special order of the hour, is gone into.

The report of the special committee, Messrs. Taylor, Engligh and Blaisdell is read.

Mr. Norment moves to postpone until Wednesday at 12 o'clock M.

Mr. Turner moves to strike out the name of Lutterloh.

The question recurring on Mr. Norment's amendment, it is put to a vote and lost.

Mr. Turner offers a substitute for the whole matter.

Mr. Norment moves to lay the whole matter on the table.

On this motion Mr. Turner calls for the ayes and nays.

The call is not sustained, and the motion to table, being put to a vote, prevails.

Mr. Davis of Haywood, arises to a question of personal privilege.

S. B. 358, H. B. 747, a bill to amend and revise the charter of the town of Winston, is taken up.

The question is on the amendments offered by the committee on Corporations, which are adopted, and the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bird, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Meck-

lenburg, Brown of Yadkin, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Cary, Click, Cobb, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ellison, Etheridge, Foard, Forbes, Foster, Foy, Goldston, Grant, Harrell, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Orchard, Osborne, Paxton, Powers, Rawley, Reynolds, Ritchey, Taylor, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—82.

Nays—None.

S. B. 463, H. B. 669, a bill to allow the bank of Greensboro further time to wind up its business, is taken up and passes its several readings, and is ordered to be enrolled for ratification.

H. B. 679, a bill to amend the charter of the town of Chapel Hill, is taken up on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate by concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Brown of Yadkin, Bruce, Buchan, Cale, Carter of Warren, Carter of Yancey, Carson, Carey, Christmas, Click, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dunn, Foard, Forbes, Foster, Foy, Goldston, Grant, Harrell, Henderson, Hewett, Hobb, Horton, Huffstetler, Jones, Lamb, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Oliver, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Taylor, Wheeler, Wimberly, Woodhouse, Wynne, and Young—73.

H. B. 714, a bill to incorporate the Globe Gold Company

of North Carolina, is taken up and passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Davis of Catawba,

S. B. 326, H. B. 599, a bill concerning mortgages issued by incorporate companies, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B 128, H. B 473, a bill to incorporate the Bennettsville and Hamlet Railroad Company, is taken up.

The amendments offered by the committee are adopted, and the bill passes its several readings, and the adopted amendments are ordered to be engrossed and sent to the Senate for concurrence.

H. B. 630, a bill declaratory of the meaning of, and to amend the charter of the town of Reidsville, is taken up and passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 205, H. B. 725, a bill to authorize the board of Education of Johnston county to pay certain orders, &c., is taken up and passes its several readings and is ordered to be enrolled for ratification.

On motion of Mr. Ardrey,

S. B. 430, H. B. 871, a bill relating to public roads and highways, is placed on the Calendar.

H. B. 468, a bill to amend an act incorporating the North Carolina Border Railroad Company, is taken up on its third reading and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Christmas, Click, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, Etheridge, Forbes, Foster, Foy, Goldston, Grant,

Harrell, Harrison, Hewett, Hobbs, Holt, Horton, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Ritchey, Taylor, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—84.

Nays—None.

H. B. 834, a bill to amend the act to incorporate the Oxford and Hendrson Railroad Company, is taken up on its third reading, and passes by the following vote, and is sent to the Senate without engrossment for concurrenc:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Bird, Bizzell, Blaisdell, Blalock, Blocker, Brown of Mecklenburg, Brown of Yadkin, Bruce, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carson, Christmas, Click, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Etheridge, Foard, Forbes, Foster, Foy, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Holt, Jones, Johnson, Lamb, Leach, Lewis, Lowry, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Taylor, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young —81.

Nays—None.

S. B. 568, H. B. 800, a bill to authorize the commissioners of Onslow county to issue bonds, is taken up on its second reading. The roll is called, but pending the announcement of the result of the vote, the House adjourns until Monday next at 1 P. M., under a resolution previously adopted.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
Monday, March 3rd, 1879.

The House meets to-day according to adjournment at 1 P. M., Mr. Speaker Moring in the Chair, and is opened with prayer by the Rev. Dr. Marshal of the city.

The reading of the Journal is begun, and motion to suspend its reading being objected to, Mr. Cobb moves a call of the House. The called is sustained, and the following gentlemen answered to their names:

Ayes—Messrs. Anderson, Angier, Ardrey, Blocker, Bost, Brown of Mecklenburg, Bryson, Carson, Christmas, Cobb, Colwell, Davis of Catawba, Dixon, English, Foster, Harrell, Harrison, Leatherwood, Lewis, McLean, Richardson of Columbus, Taylor, Vaughan, and Wheeler—24.

And there is no quorum.

Mr. Harrell moves to adjourn to half-past two P. M.

Mr. Cobb moves to amend the motion by a proposition to adjourn to seven P. M.

The motions fails, and the question being put on the motion of Mr. Harrell, it also fails;

And a motion of Mr. English to adjourn till two o'clock prevails; and the House adjourns to that hour.

The House reassembles at the hour designated.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills reports as correctly enrolled:

An act to allow the commissioners of the town of Graham to levy a license tax on spirituous liquors;

An act to authorize a history of North Carolina for the use of the common schools in this State;

An act to amend chapter 107, of the laws of 1874–'75, relating to the town of LaGrange, Lenoir county;

An act to amend chapter 45, laws of 1873–'74; and

An act to prevent the driving of cattle from South Carolina and other places, into counties west of the Blue Ridge.

Mr. English, from the committee on Engrossed Bills, reports the following bills and amendments to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 489, a bill to incorporate the Rocky Mount Benevolent Aid Society;

H. B. 556, a bill to incorporate Yellow Mountain Church in the county of Mitchell;

H. B. 737, a bill to prevent the felling of trees and otherwise obstructing the waters of Angola and Shelter creek in Pender county;

H. B. 526, a bill to incorporate Smith's Bridge High School Joint Stock Company in Macon county;

H. B. 787, a bill to provide for purchasing land sold under execution by the several boards of county commissioners of this State;

H. B. 618, a bill to incorporate the Town of Mount Holly, in the county of Gaston;

H. B. 715, a bill to provide for the removal of the county seat of Polk county;

H. B. 497, a bill to repeal section 20, of an act to establish an Agricultural Bureau;

H. B. 612, a bill for the passage of fish up Neuse river, Swift and Middle creeks in Johnston county;

H. B. 739, a bill to provide commutation for Edmund D. Gaddy and W. Allen, disabled Confederate soldiers;

H. B. 594, a bill to change the time of holding the courts in the sixth judicial district;

H. B. 630, a bill declaratory of the meaning of and to amend the charter of Reidsville;

H. B. 679, a bill to amend the charter of the town of Chapel Hill;

H. B. 714, a bill to incorporate the Globe Gold Company of North Carolina;

Engrossed amendments to

S. B. 343, H. B. 798, a bill to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Company;

Engrossed amendments to

S. B. 128, H. B. 473, a bill to incorporate the Bennettsville and Hamlet Railroad Cempany;

Engrossed amendments to

S. B. 489, H. B. 730, a bill to authorize the county of Madison to pay the claims of certain school teachers;

H. B. 617, a bill to ascertain the indebtedness of Madison county;

H. B. 843, a bill to authorize the commissioners to exchange the stock of Currituck county in the Albemarle and Chesapeake Canal Company for bonds of said county.

THE UNFINISHED BUSINESS

of Saturday is announced, being the announcement of the vote on

S. B. 368, H. B. 800, a bill to authorize the board of commissioners of Onslow county to issue bonds, and for other purposes (the bill having been on its second reading in the morning session of Saturday), and the bill is declared to have passed its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Bingham, Bird, Blaisdell, Brown of Mecklenburg, Bryson, Burroughs, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Click, Cobb, Colwell, Council, Davis of Haywood, Deans, Dixon, Ellison, Foard, Foster, Foy, Grant, Harrell, Henderson, Hewett, Hobbs, Horton, Huffstetler, Johnson, Lamb, Leach, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Miller, Moore,

McLean, Norment, Orchard, Osborne, Paxton, Powers, Rawley, Reynolds, Richardson of Wake, Ritchey, Taylor, Wimberly, Woodhouse, and Young—62.

Nay—Mr. Dimsdale.

THE SPECIAL ORDER

is announced, being the Machinery Bill.

On motion of Mr. Bost, the reading of the bill is dispensed with; and,

On motion of Mr. Foard, the House goes into committee of the Whole on the bill.

Mr. Foard being called to the Chair.

The committee rises and reports progress.

The question recurs on the amendments proposed by the committee.

Mr. Reynolds offers the following amendment to section 1, which is rejected:

In section 1, line 17, strike out "ten," and insert "eight;" also in line 19 of said section, strike out "two," and insert "one and a-half."

Mr. Vaughan offers the following amendment, which is adopted:

Amend section 1, line 6, by inserting after the word "seventy-nine," the words "and annually thereafter."

Mr. Blocker moves to amend section 13, line 22, by striking out "twenty five dollars," and insert "one hundred dollars," and on the adoption of the amendment, calls the ayes and noes.

The call is not sustained, and the amendment is put to a vote and rejected.

Mr. Ardrey introduces the following amendment to section 1, lines 16 and 17, viz:

"Except in Charlotte township in Mecklenburg county, where the assessors shall be paid at the discretion of the county commissioners."

And the amendment is adopted.

Mr. Angier sends forward the following amendment to section 24:

Amend in section 24, after the word "action," in line 9, by inserting the following clause, "and upon exhibiting said certificate to the list taker annually, the person to whom it was issued shall not be required to list his poll."

Which was rejected.

The following is sent forward by Mr. Vaughan, and is also rejected:

Amend section 18, in the 6th line, by inserting after the word "commissioners," the words "completed with the taxes payable by each person, computed and affixed opposite his name."

Mr. Vaughan also offers the following amendment to section 8:

Amend section 8 by inserting after the word "assessor," in the 8th line, the words, "which oath shall be in the following form, to-wit: I, ..., do solemnly swear that the list furnished by me contained a true and accurate list of property which by law I am required to list for taxation, and that the value fixed thereon by me is a fair valuation of the same, according to my best knowledge, information and belief, so help me, God."

And the amendment is adopted,

The question then is upon the bill on its second reading. It passes and is put upon its third and final reading.

Mr. Norment moves that when the House adjourns it be to meet to-morrow morning at 10 o'clock; upon that motion Mr. Foard demands the ayes and nays.

The call is not sustained, and upon a division the motion prevails.

The question recurs on the bill on its third reading.

Mr. Lowry moves to amend the amendment of Mr. Richardson of Columbus, by striking out in line sixteen, after the word "allowing," down to and including the word "dollars," in line seventeen, and insert "such sum as the commissioners may deem proper, not to exceed two dollars per day." *Provided*, the county commissioners shall be the judge of the number of days actually necessary for taking the list, and may regulate the same when a greater number of days are charged for than necessary.

The amendment fails for the want of a quorum.

The question is again taken on Mr. Lowry's amendment, which, on a division, resulted in no quorum, ayes 50, noes 21. The question is again taken and it is adopted.

On motion the amendment of Mr. Ardrey, adopted on the second reading, is stricken out.

Mr. York offers an amendment to section seven, which is rejected.

On the passage on its third reading, Mr. Richardson of Columbus, calls the previous question, which is ordered, and the bill passes and is ordered to be engrossed and sent to the Senate for concurrence.

SECOND SPECIAL ORDER,

being H. B. 519, a bill to commute and compromise that portion of the State debt known as the Williamston and Tarboro Railroad bonds, is taken up and considered,

but pending any definite result the hour fixed last Saturday by the House for adjournment for this day is announced; but is withheld for a few moments.

Leaves of absence are granted to Messrs. Harrison and Venable until next Thursday on account of sickness, and to Messrs. McCorkle, Lindsay and Atkinson indefinitely on account of sickness in their families.

Mr. Brown of Mecklenburg, introduces the Revenue bill, and, on his motion, it is made special order for to-morrow at 10:30 o'clock A. M.

The House then adjourns until to-morrow morning at 10 o'clock.

FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
TUESDAY, March 4th, 1879.

The House meets this morning at ten o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Black of the city.

The Journal of yesterday is partly read, and stands as approved.

INTRODUCTION OF PETITIONS.

The following are introduced and appropriately referred:

By Mr. Covington,

A petition of citizens of Union county, asking for a stock law;

By Mr. Bernard,

A petition of citizens of Pitt county to prohibit fishing with

nets in Grindall creek, which is referred to the committee on Fish Interests; and

By Mr. English,

A petition from citizens of Randolph county, asking a prohibitory law, which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 821, a bill to incorporate the town of Gold Region, Moore county; on

S. B. 464, H. B. 828, a bill to amend the charter of the town of Farmville; on

S. B. 523, H. B. 833, a bill to incorporate the Sons and Daughters of Temperance of Chatham county; on

S. B. 225, H. B. 829, a bill to incorporate the town of Middleburg, Warren county; on

H. B. 838, a bill to incorporate the Freedmen's Chapel and Liberty Grove Churches, Randolph county; on

S. B. 419, H. B. 825, a bill to incorporate the town of Saul's Cross Roads, Wayne county; on

H. B. 837, a bill to incorporate the village of Big Lick, Stanly county; on

H. B. 835, a bill to incorporate Centennial Lodge, No. 96, I. O. O. F., Toisnot, Wilson county; on

H. B. 836, a bill to incorporate Furniture Manufacturing Company; on

S. B. 148, H. B. 808, a bill to incorporate the Pungo and Alligator Rivers Canal Company, the committee make no recommendation and report it back without prejudice; and

H. B. 855, a bill to provide for the risignation of municipal officers, is recommended to be referred to the committee on the Judiciary.

Mr. York, from the committee on Fish Interest, reports favorably on

H. B. 844, a bill to protect fish in certain streams in Duplin county.

Mr. Bost, from the committee on Propositions and Grievances, reports unfavorably on

H. B. 812, a bill authorizing the appointment of a purchasing agent for the Insane Asylum and the Institution for the Deaf and Dumb and Blind.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports favorably on

S. B. 522, H. B. 864, a bill to incorporate the Burgaw and Onslow Railroad Company.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

A bill known as machinery act;

H. B. 468, a bill to incorporate the North Carolina Border Railroad Company.

The committee on Enrolled Bills reports as correctly enrolled:

An act to prevent the desecration of the Sabbath day;

An act to incorporate the East La Porte Masonic Lodge No. 358, in Jackson county;

An act to incorporate Bald Creek Baptist Church, in the county of Yancey;

An act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871;

An act to allow the Raburn Gap Short Line Railway Company to use fifty convicts;

Resolution requiring the Secretary of State to furnish to judges and solicitors copies of certain important acts of the present General Assembly;

An act to punish treasurers of benevolent and religious institutions;

An act to create a new township in the county of Haywood;

An act to amend section 2, chapter 195, laws 1874–'75, in relation to birds;

An act to compromise, commute and settle the State debt;

An act to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad and for other purposes;

An act to incorporate the Standard Gold Company of North Carolina;

An act to allow the Bank of Greensboro time to wind up its business;

An act to incorporate the State University Railroad Company;

An act concerning mortgages issued by incorporate companies;

An act respecting the collection of railroad taxes in Forsythe county;

An act to allow the Independent Order of Good Samaritans and Daughters of Samaria in America, Lodge No. 2, of North Carolina, to establish a beneficial department;

An act to incorporate the American Gold Company, of North Carolina;

An act to amend the charter of the city of Newbern;

An act to require clerks and justices of the peace to keep an itemized statement of all fines received by them, and to properly account for the same; and also to amend chapter 116, laws of 1873–'74, bearing upon the same subject.

INTRODUCTION OF RESOLUTIONS.

The following are introduced and are all placed on the Calendar:

By Mr. Brown of Mecklenburg, a resolution fixing the adjournment of this General Assembly for Monday, March 17th, 1879;

By Mr. Reynolds, a resolution to adjourn on Monday, March 10th, 1879;

By Mr. Dimsdale, a resolution fixing the day of adjournment for Saturday, March 8th;

By Mr. Turner, a resolution concerning the debt of the State; and

By the same, a resolution concerning frauds upon the State.

INTRODUCTION OF BILLS.

The following bills are introduced and placed upon the Calendar:

By Mr. Turner, an act to adjust and renew a portion of the State debt;

By Mr. Vaughan, a bill to fix the number and regulate the appointment of the board of directors on the Cape Fear and Yadkin Valley Railroad;

By Mr. Brown of Mecklenburg, a bill to ascertain the indebtedness of certain townships in Mecklenburg county, and to provide for the payment thereof;

By Mr. Cary, a bill to protect the rights of colored men in the courts of justice in the State;

By Mr. Scott, a bill concerning county commissioners.

THE UNFINISHED BUSINESS

of yesterday is announced, being the substitute for

H. B. 519, a bill to aid in the construction of the Raleigh and Seaboard Railroad.

Mr. Mebane moves to suspend the rules to make

S. B. 560, H. B. 801, a bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists, the special order for an hour designated, and the House refuses to suspend the rules.

THE SPECIAL ORDER

being the bill to raise revenue, is announced.

On motion of Mr. Norment, the House goes into Committee of the Whole, Mr. Norment being called to the Chair.

The Committee rises, and through its chairman, reported back the bill as amended by the Committee of the Whole.

The question is then upon the adoption of the amendments. They are adopted, and the question is on the passage of the bill on its second reading, upon which reading, Mr. Richardson of Columbus, demands the previous question. The call is sustained and the main question is ordered.

The question is then on the passage of the bill on its second reading and it passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Deans, English, Ewing, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Holt, Horton, Huffsteler, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Lowry, Meares, Mebane, Miller, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Scott, Smith, Taylor, Wheeler, Woodhouse, and Young—80.

Nays—Messrs. Battle, Blocker, Carter of Warren, Christmas, Dixon, Ellison, Foy, Hobbs, Newell, Pettipher, Reynolds, Turner, Waddell, White, Wimberly, and York—16.

On motion of Mr. Brown of Mecklenburg, the considera-

tion of the bill on its third reading is made the special order for to-morrow at half past 10 o'clock.

THE SPECIAL ORDER,

being.

H. B. 500, a bill to amend chapter 106, laws of 1876–'77 is announced, and the bill is put on its second reading, and discussed until a motion is made by Mr. Blaisdell to adjourn Mr. Blaisedell withholds the motion to admit a motion of Mr. English to make

H. B. 715, a bill to provide for the support of the Penitentiary for the years 1879–'80 the special order for to-morrow, immediately after the action of the House on the revenue bill; and it is so ordered by the House.

Mr. Lockhart moved that all bills providing for the levy of special taxes be considered as special orders, to be taken up in due course, and acted upon according to numbers, beginning to-night after the consideration of the special orders,—action upon such bill to be continued until such bills are passed in due course of law; and it is so ordered by the House;

And the House then adjourned until half past 7 o'clock this evening.

Evening Session.

House of Representatives,
Tuesday, March 4th, 1879.

The House meets at half-past seven o'clock, this evening, and is called to order by Mr. Speaker Moring.

THE UNFINISHED BUSINESS

of the morning's session being the consideration of

H. B. 500, a bill to amend chapter 106, laws of 1876-'77, is announced.

Mr. English moves that the consideration of the bill be postponed for twenty minutes; and the question being put, the House refuses to postpone.

By consent,

Mr. Jones introduced a bill to empower the W. & C. R. R. to make terms with the Canal L. N. G. Co.; which is referred to the committee on Internal Improvements;

And by consent,

Mr. Davis of Catawba, introduced a bill to incorporate Piedmont Lodge, Independent Order of Good Templars, Hickory, N. C.

By consent,

Mr. Taylor from the committee on Internal Improvements reports on

H. B. 788, a bill to be entitled "an act to create a Board of Internal Improvements," and define its powers, with an amendment, and with the adoption of the amendment, recommending the passage of the bill,

And the consideration of the special order, H. B. 500, is resumed.

The bill is discussed at length.

Mr. Coffield moves to lay the bill upon the table.

Upon which motion, Mr. Norment demands the ayes and nays.

The call is sustained and the bill laid on the table by the following vote:

Ayes—Messrs. Anderson, Barringer, Battle, Bernard, Berry, Bird, Blaisdell, Blalock, Blocker, Bost, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Click,

Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Foard, Forbes, Foster, Goldston, Harrell, Hewett, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lowry, Lutterloh, Meares, Miller, Moore, McLean, Newell, Oliver, Orchard, Paxton, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, White, Wimberly, Woodhouse, York, and Young—67.

Nays—Messrs. Ardrey, Armstrong, Bateman, Bizzell, Burroughs, Clarke, Cobb, Gatling, Grant, Henderson, Hines, Holt, Leach, Lewis, Lockhart, Mebane, Norment, Osborne, Powers, Rawley, Taylor, Turner, Vaughan, Wheeler, and Wynne—25.

THE SPECIAL ORDER,

S. B. 476, a bill providing for the support of the Insane Asylum, &c., is announced, and the bill is read, being on its second reading.

Mr. Clarke offers an amendment, but by consent, upon explanation, withdraws it.

On the passage of the bill, Mr. York demands the previous question. The call is sustained and the main question is ordered.

The question is upon the passage of the bill on its second reading, upon which Mr. York demands the ayes and nays.

The call is sustained and the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Foard, Forbes, Foster, Gatling,

Goldston, Grant, Hines, Huffstetler, Johnson, Leatherwood, Lewis, Lowry, Meares, Mebane, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Taylor, Vaughan, Venable, Wheeler, Woodhouse, and York—66.

Nays—Messrs. Bateman, Battle, Bingham, Burroughs, Christmas, Clarke, Dixon, Ellison, Hobbs, Holt, Jones, Lockhart, Newell, Norment, Osborne, Pettipher, Reynolds, Turner, White, Wimberly, Wynne, and Young—22.

On motion of Mr. Foard, the bill, on its third reading, is made the special order for to-morrow to follow the consideration of the special order in regard to appropriations for the Penitentiary.

Mr. Mebane moves that

S. B. 560, be made the special order for to-morrow at half-past seven P. M. Objections being made the order is not made.

THE SECOND SPECIAL ORDER

being

S. B. 161, a bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, on its third reading,

Mr. Vaughan offers the following amendment:

Amend by inserting at the end of the last section before the ratifying clause the following: "*Provided*, that this act shall not be construed to repeal any law now in force assigning convicts to work on internal improvements;"

and the amendment is adopted.

Mr. Turner offers the following:

Amend by adding, "the bill shall not take effect until the corporation known as the Atlantic, Tennessee and Ohio Railroad restore to the Treasury the bonds corruptly paid to M. S. Littlefield by R. Y. McAden for corrupt services."

On the passage of the bill Mr. Carson demands the previous question. The call is sustained and the main question is ordered.

The question is put on the amendment offered by Mr. Turner and it is rejected.

The question is then on the following amendment offered by Mr. McCorkle, under notice previously given:

"*Provided*, that the said company shall be liable to and pay the State the same for labor of said convicts as is paid by other railroad companies on which convicts are worked in which the State has an interest."

And the amendment is adopted.

The bill so amended passes its third reading by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Yancey, Carson, Cary, Clarke, Click, Coffield, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Ellison, Foard, Forbes, Foster, Gatling, Goldston, Grant, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McCorkle, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—72.

Nays—Messrs. Carter of Warren, Christmas, Dimsdale, Turner, White, and Wimberly—6.

THE UNFINISHED BUSINESS

of last night's session, being a substitute for

H. B. 519, a bill to aid in the completion of the Raleigh and Seaboard Railroad, the bill being on its second reading.

Mr. Lockhart moves to lay the bill on the table.

Upon which motion, Mr. Norment demands the ayes and nays.

The call is sustained, and the House refuses to table by the following vote:

Ayes—Messrs. Bingham, Bizzell, Bost, Brown of Mecklenburg, Click, Foard, Goldston, Huffstetler, Johnston, Leach, Lockhart, Ritchey, and Young—13.

Nays—Messrs. Anderson, Ardrey, Armstrong, Bateman, Battle, Bernard, Blaisdell, Blocker, Bonner, Buchan, Burroughs, Cale, Carter of Warren, Christmas, Clarke, Coffield, Davis of Haywood, Deans, Dimsdale, Dixon, Ellison, Ewing, Forbes, Foster, Goldston, Hewett, Lamb, Leatherwood, Lewis, Lowry, Lutterloh, Mebane, Miller, Moore, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Roberson, Taylor, Turner, Wheeler, Wimberly, Woodhouse, and Wynne—51.

Mr. Norment offers the following amendments, which are adopted:

Amend by inserting after the word ....., in section 1, line 13 and 14, "and the amount issued under this act by the State shall not exceed fifty thousand dollars;" and

Amend by adding after the word "certified," in line 7, section 5, the following: "And proven to them, and by them certified to the Governor to have been."

Mr. Turner offers the following amendment:

Amend by adding "this act to be in force when said corporation return one hundred and fifty thousand dollars of bonds appropriated in 1868 by the State; and restore ten thousand dollars corruptly paid to Littlefield and Swepson by the high officials of the corporation."

On the passage of the bill Mr. Roberson calls the previous question.

The call is sustained, and the main question is ordered.

The question is on the amendment of Mr. Turner, and it is rejected.

The question is then on the bill on its second reading, and it passes by the following vote:

Ayes—Messrs. Anderson, Bateman, Battle, Bernard, Blaisdell, Blocker, Bonner, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Chadwick, Christmas, Clarke, Davis of Haywood, Deans, Dimsdale, Ellison, Etheridge, Forbes, Foster, Gatling, Lamb, Lowry, Lutterloh, Miller, Moore, Norment, Oliver, Osborne, Reid of Macon, Reynolds, Roberson, Taylor, Wimberly, Woodhouse, and Wynne—38.

Nays—Messrs. Angier, Ardrey, Armstrong, Berry, Bingham, Bizzell, Bost, Brown of Mecklenburg, Davis of Catawba, English, Foard, Goldston, Grant, Huffstetler, Johnson, Leach, Lewis, Lockhart, Mebane, McLean, Orchard, Powers, Rawley, Ritchey, Smith, Turner, Vaughan, Wheeler, and Young—30.

And on motion of Mr. Lockhart, the House adjourns until to-morrow morning at 10 o'clock.

FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
Wednesday, March 5th, 1879.

The House meets this morning at ten o'clock, Mr. Richardson of Columbus in the chair.

The Journal of yesterday is partially read and stands as approved.

INTRODUCTION OF PETITIONS, &C.

By Mr. Huffstetler, a petition from sundry citizens of Gaston county, praying for a law to prohibit the sale of spirituous liquors within two miles of Fellowship Baptist Church in said county; which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Ardrey, from the committee on Agriculture, &c., reports unfavorably on

S. B. 223, H. B. 861, a bill to repeal section 43, chapter 32, Battle's Revisal, concerning fences.

Mr. Vaughan, from the committee on the Judiciary, reports favorably on

H. B. 666, a bill to prohibit the admission of testimony of the party of interest, or his assignee, in suits for debts contracted prior to April 23rd, 1868.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 440, H. B. 870, a bill to amend chapter 32, sections 154 and 155, Battle's Revisal; on

S. B. 543, H. B. 802, a bill to define the duties of Sheriff's performing the duties of County Treasurer, and unfavorably on

H. B. 855, a bill to provide for the resignation of municipal officers.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 857, a bill to amend chapter 129, private laws of 1874–'75; on

H. B. 879, a bill to incorporate the Newton Grove Literary Association Reading Room; on

S. B. 228, H. B. 863, a bill to incorporate Oak City Lodge of the Knights of Honor, No. 419; on

S. B. 248, H. B. 866, a bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity; on

S. B. 493, H. B. 860, a bill to incorporate the North Carolina Industrial Association, and on

S. B. 25, H. B. 873, a bill to amend chapter 87, private laws of 1870–'71, in relation to Rock Spring Camp Ground.

By consent,

Mr. Ardrey, from committee on Agriculture,

A bill to prevent live stock running at large in such townships of Wake county as may so vote.

Mr. Clarke, from the committee on the Judiciary, reports favorably on

H. B. 881, a bill to establish a Criminal Judicial District and to provide courts for the same.

The committee on Enrolled Bills reports as correctly enrolled:

An act to allow the county of Iredell to fund her outstanding railroad bonds;

An act to provide for the repairing of the Quarentine Hospital at Smithville;

An act to incorporate the Bee Log Baptist Church, in the county of Yancey;

An act for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties;

An act to provide for the draining of swamp lands in the counties of Columbus and Robeson;

An act to incorporate the Bennettsville and Hamlet Railroad Company;

An act concerning the official bonds to be given by sheriffs;

An act to secure the better drainage of the low lands of Fourth Creek, in the counties of Robeson and Iredell;

An act to incorporate the town of Highlands, in Macon county;

An act to aid in the construction of the Winston, Salem and Mooresville Railroad;

An act to amend section 20 of chapter 98 of Battle's Revisal;

An act to amend chapter 88 of the private acts of the General Assembly passed at the session of 1874–'75, entitled an act to incorporate the Fayetteville and Goldsboro and Harnett Railway Company;

An act to authorize the counties of Madison, Clay and Surry to pay the claims of certain school teachers;

An act to amend chapter 161 of the laws of 1876–'77;

An act for the relief of James F. Somers, former sheriff of Wilkes county;

An act to incorporate the Warm Springs Toll Bridge Company;

An act to incorporate Yancey county High School;

An act in regard to public wharves and depots;

Resolution requiring the Secretary of State to issue a grant to Joel T. Furgerson in Wilkes county;

An act to make the carrying concealed weapons a misdemeanor;

An act to incorporate the Trustees of Ball's Creek Camp Ground in the county of Catawba;

An act to authorize E. Everett, former sheriff of Swain county, to collect arrears of taxes;

An act to change the time of holding the courts in the sixth judicial district;

An act to amend chapter 104 of Battle's Revisal in regard to the manner of laying off public roads;

An act to appoint and settle a public ferry on the Great Pee Dee river;

An act in relation to warrants on bastardy;

An act to authorize the commissioners of Sampson county to levy a special tax;

An act to amend chapter one hundred and fifty-two, laws of 1871–'72, in relation to destruction of fish in Black river and Six Runs in Sampson and other counties;

An act to authorize the Board of Education for Johnston county to pay the orders made on the treasurer by township truetees to school teachers prior to the adoption of the school law of 1876-'77.

An act to lay out and construct a public road from Union Church in Alleghany county to Brush Hill in Wilkes county.

Mr. Woodhouse, from the committee on Engrossed Bills, reported the following bills to have been correctly engrossed, and they were transmitted to the Senate for concurrence;

Engrossed amendments to

S. B. 161, H. B. 647;

A bill to be entitled an act to aid in the extension of the Atlantic, Tennessee and Ohio railroad.

Mr. Holt, from the committee on Engrossed Bills, reported the following bills and amendments to have been correctly engrossed, and they were transmitted to the Senate for concurrence:

S. B. 358, H. B. 747, a bill to amend and revise the charter of the town of Winston;

H. B. 687, a bill supplemental to an act farming out convicts.

INTRODUCTION OF RESOLUTIONS.

Mr. Vaughan introduces the following which is placed on the Calendar, viz:

A resolution on adjournment.

INTRODUCTION OF BILLS.

By Mr. Woodhouse,

A bill to incorporate the North Carolina Coast Canal Company, which is referred to the committee on Corporations;

By Mr. Leatherwood,

A bill to prohibit the sale of any intoxicating liquors within two miles of the Cullowhee Baptist Church, in Jackson county, which is referred to the committee on Propositions and Grievances.

By Mr. Richardson of Columbus,

A bill to define the line between the counties of Bladen and Columbus, which is referred to the committee on Corporations.

By consent,

Mr. Vaughan introduces a resolution in regard to the sessions of this House, which is placed on the Calendar.

Mr Cary, also by consent, introduces a resolution in regard to an extra session, which is also placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 364, a bill to abolish private seals and to prescribe a short form of a deed, and for other purposes, and informing the House the Senate had adopted a substitute for

H. B. 558, S. B. 474, a bill to amend sections 4 and 7, chapter 37, Battle's Revisal, in regard to the subject of divorce, and asking concurrence.

On motion of Mr. Vaughan, the House concurred in the Senate's adoption of the substitute for

S. B. 364, H B. 904, and the bill passes its several readings and is ordered to be enrolled for ratification, and the same course is taken with

H. B. 558, S. B. 474.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting

S. B. 518, a bill to charter the Thomasville and Albemarle

Railroad Company, which is read for the first time in this House and is referred to the committee on Internal Improvements.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills and asking the concurrence of the House:

S. B. 75, a bill to amend section 343, chapter 17, Battle's Revisal;

S. B. 373, a bill to allow the commissioners of Pender county to levy a special tax;

S. B. 631, a bill to authorize the commissioners of Harnett county to levy a special tax; and

S. B. 401, a bill to repeal the law providing for the maintenance of lunatics outside the Asylum.

They are read the first time in this House and disposed of as follows:

S. B. 75 is placed on the Calendar;

S. B. 401 to the committee on the Insane Asylum;

S. B. 631 is placed on the Calendar;

S. B. 373 is referred to the committee on Finance.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 728, a bill amending the charter of the Bingham School; and engrossed Senate amendments to

H. B. 205, S. B. 630, a bill to protect fish in Yadkin and Catawba rivers, and asking the concurrence of the House. They are read the first time and disposed of as follows:

S. B. 728 is placed on the Calendar;

And Senate amendments to

H. B. 205, S. B. 630, are concurred in and the bill ordered to be enrolled for ratification.

A message is received from the Senate informing the

House that the Senate had concurred in the House amendments to

S. B. 30, H. B. 553, a bill relative to warrants on bastardy;

Also, as having passed

S. B. 687, a bill to amend the charter of the town of Pittsboro, Chatham county;

S. B. 687 is read for the first time in this House and referred to the committee on Corporations.

A MESSAGE IS RECEIVED FROM THE SENATE

announcing that that body had appointed as the Senate branch of the committee of conference on Senate amendments to H. B. 43, S. B. 386, a bill to incorporate the bank of Asheville, Messrs. Davidson, Eaves and Nicholson, and announcing concurrence in House amendments to

S. B. 487, H. B. 741, a bill to prevent live stock from running at large in Rowan, Davie and other counties, &c., except as to striking out the county of Caswell.

On motion of Mr. Bost, the House recedes from its amendment to strike out Caswell county, and the bill is ordered to be enrolled for ratification.

A message is received from the Senate informing the House that the Senate had passed an amendment to

H. B. 451, S. B. 379, a bill to make the killing of live stock indictable.

On motion of Mr. Norment, the House refused to concur.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 562, a bill to amend chapter 20, laws of 1876–'77, and asking the concurrence of the House.

It is read for the first time in this House and placed on the Calendar.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 466, a bill concerning reducing freights and charges for transportation, &c., and asking the concurrence of the House.

The bill is read for the first time in this House and referred to the committee on Internal Improvements.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 677, a bill to aid the construction of the Statesville Air-Line Railroad, and asks the concurrence of the House.

The bill is read for the first time in this House and placed on the Calendar.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 443, a bill to amend the charter of Flat Swamp Creek and Evans' Creek Canal Company, and asks the concurrence of the House.

The bill is read for the first time in this House and referred to the committee on Agriculture, &c.

On motion of Mr. Norment,

S. B. 75, H. B. 905, a bill to amend section 343, of chapter 17, Battle's Revisal, is taken from the Calendar and put on its readings and passed its second reading, and the House refused to suspend the rules to put the bill on its third reading.

THE CALENDAR

is taken up, and

H. B. 248, a bill to authorize the commissioners of Rich-

mond county to levy a spacial tax, is put on its second reading.

Mr. Lockhart moves to insert "5,000" wherever "6,000" occurs. The amendment is adopted, and the bill passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Gatling, Goldston, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young —88.

Nays—Mr. Norment—1.

On motion of Mr. Bernard,

S. B. 518, a bill to charter the Thomasville and Albemarle Railroad Company, referred to the committee on Internal Improvements, is taken from that committee and placed on the Calendar.

S. B. 441, a bill to authorize the town of Asheville, in Buncombe county, to levy a special tax for the support of graded schools, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carey, Chadwick, Christmas, Click, Cobb,

Colwell, Council, Davis of Haywood, Davis of Madison, Deans, Dinsdale, Dixon, Ellison, English, Etheridge, Ewing, Foard, Forbes, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pattipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Turner, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—86.

Nays—None.

S. B 358, a bill to amend and revise the charter of the town of Winston, is put on its third reading and passes by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, Ellison, English, Ewing, Foard, Forbes, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Paxton, Rawley, Reynolds, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Wheeler, White, Wimberly, York, and Young—80.

Nays—None.

H. B. 446, a bill to incorporate the town of Forestville, in Wake county, is put on its second reading and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Bur-

roughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carey, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, Ewing, Foard, Forbes, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Holt, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McCorkle, McGehee, McLean, Newell, Oliver, Osborne, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Taylor, Wheeler, White, Woodhouse, Wynne, and Young—81.

Nay—Mr. Ferrell.

H. B. 491, a bill to authorize the commissioners of Hertford county to levy a special tax, is put on its second reading and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clark, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ewing, Foard, Forbes, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Johnson, Leatherwood, Lowry, Lutterloh, Meares, Miller, Moore, McCorkle, McGehee, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Waddell, Wheeler, White, Wimberly, Woodhouse, and Young—81.

Nay—Mr. Norment—1.

S. B. 461, a bill to authorize the commissioners of Greene county to levy a special tax, passes its second reading by the following vote:

Ayes—Messrs. Angier, Ardrey, Armstrong, Barringer, Bate-

man, Battle, Bernard, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Meckenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Ewing, Foard, Forbes, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Holt Huffstetler, Jones, Johnson, Leatherwood, Lewis, Lockhart' Lowry, Lutterloh, Meares, Melson, Miller, Moore, McCorkle, McGehee, Oliver, Orchard, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Taylor, Waddell, Wheeler, White, Wimberly, York and Young—77

Nay—Mr. Norment—1.

S. B. 560, a bill to revise and correct the tax lists of Alamance county, and to authorize the collection of taxes due on said lists, is put on its second reading.

Mr. Norment offers an amendment, which is subsequently withdrawn, the question having been previously put on the adoption of the amendment, no quorum voting.

The bill is then put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Berry, Blocker, Bost, Buchan, Carroll, Carson, Cary, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Deans, Ellison, English, Forbes, Gatling, Goldston, Harrell, Hewett, Hines, Huffstetler, Lamb, Leach, Leatherwood, Lewis, Lowry, Mebane, Moore, McLean, Orchard, Paxton, Powers, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Turner, Vaughan, Wheeler, York, and Young—49.

Nays—Messrs. Bateman, Battle, Bingham, Bird, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Bryson, Carter of Warren, Christmas, Clarke, Dimsdale, Ewing, Ferrell, Foard, Grant, Henderson, Hobbs, Jones, Lutterloh, Miller,

Newell, Norment, Oliver, Osborne, Pettipher, Reynolds, Waddell, White, Wimberly, and Wynne—33.

S. B. 568, a bill to authorize the commissioners of Onslow county to issue bonds and for other purposes, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Davis of Catawba, Davis of Madison, Deans, Ellison, English, Ewing, Forbes, Gatling, Goldston, Harrell, Henderson, Hewett, Hines, Holt, Huffstetler, Jones, Lamb, Lewis, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McGehee, McLean, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Taylor, Wheeler, Wimberly, Woodhouse, York, and Young—75.

Nays—None.

S. B. 430, a bill relating to public roads and highways, is put on its second reading.

Mr. Ardrey offers the following amendment:

Amend section 40 by inserting the counties of Forsythe and Stokes.

The amendment is accepted, and the bill as amended passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Bird, Bizzell, Blaisdell, Blalock, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Carey, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Mad-

ison, Dimsdale, Dixon, English, Etheridge, Foard, Forbes, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hobbs, Johnson, Lamb, Lockhart, Lowry, Meares, Mebane, Melson, Miller, Moore, McGehee, Newell, Orchard, Osborne, Paxton, Pettipher, Powers, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—76.

Nays—None.

H. B. 750, a bill to authorize the commissioners of Anson county to levy a special tax, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Ellison, English, Etheridge, Ewing, Foard, Forbes, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Holt, Huffstetler, Johnson, Leach, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McGehee, Newell, Oliver, Orchard, Osborne, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, and Young—79.

Nays—None.

H. B. 637, a bill to authorize Granville county to fund its debt, passes its third reading by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Yancey, Carroll, Carson, Chadwick, Christmas, Clarke, Click, Cobb,

Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Ewing, Forbes, Goldston, Henderson, Hines, Hobbs, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McCorkle, McLean, Newell, Oliver, Orchard, Paxton, Pettipher, Rawley, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Wheeler White, Wimberly, York, and Young—71.

Nays—Mr. Norment—1.

H. B. 766, a bill to authorize the commissioners of Lincoln county to levy a special tax, is taken up on its second reading.

On motion of Mr. York, further consideration of the bill is postponed, and

THE SPECIAL ORDER

being the Revenue bill, is taken up; and on motion of Mr. Vaughan is put by sections.

Mr. Vaughan offers the following amendment to section 2:

Amend section 2 by striking out in line 5, "seventy-five cents" and inserting "sixty."

Mr. Reynolds offers the following as an amendment to the amendment:

Strike out "sixty" and insert "seventy-five."

On the passage of the bill Mr. Richardson of Columbus demands the previous question.

The call is sustained and the main question is ordered.

The question is on the amendment offered by Mr. Reynolds, upon the adoption of which Mr. Reynolds demands the ayes and nays.

The call is not sustained, and the question being put, the amendment is rejected.

The question then recurs upon the amendment of Mr. Vaughan, upon which Mr. Vaughan demands the ayes and nays.

The call is sustained, and the amendment is rejected by the following vote:

Ayes—Messrs. Angier, Barringer, Bernard, Bird, Bizzell, Blalock, Blocker, Bruce, Carter of Warren, Carson, Click, Council, Dimsdale, Ewing, Ferrell, Foster, Goldston, Harrell, Huffstetler, Leach, Lindsay, Lutterloh, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Paxton, Reid of McDowell, Richardson of Wake, Ritchey, Vaughan, York, and Young—36.

Nays—Messrs. Anderson, Ardrey, Armstrong, Bateman, Battle, Berry, Bingham, Blaisdell, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Foard, Forbes, Gatling, Grant, Henderson, Hewett, Hines, Hobbs, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Lowry, Meares, McCorkle, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Roberson, Smith, Taylor, Waddell, Wheeler, White, Wimberly and Woodhouse—64.

The question is then on an amendment of Mr. Brown of Mecklenburg, offered under previous notice given:

Amend Schedule B by striking out section 12.

Upon the adoption of which, Mr. Brown demands the ayes and nays.

The call is not sustained, and the question being put, the amendment is rejected.

The question is then on the bill on its third reading, and it passes by the following vote and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bizzell, Blalock, Bost, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Click, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Dimsdale, English, Ferrell, Foard, Forbes, Gatling, Goldston, Grant, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Osborne, Paxton, Powers, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Wheeler, Woodhouse, and Young—66.

Nays—Messrs. Battle, Bingham, Bird, Blaisdell, Blocker, Brown of Mecklenburg, Cale, Carson, Christmas, Clarke, Davis of Madison, Deans, Dixon, Dunn, Ellison, Foster, Henderson, Hobbs, Lowry, Lutterloh, Newell, Norment, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Turner, Vaughan, Waddell, White, Wimberly, and York—33.

THE UNFINISHED BUSINESS

of the morning, suspended by the Revenue Bill, being

H. B. 766, a bill authorizing the commissioners of Lincoln county to levy a special tax, is again put on its second reading, and passes by the following vote:

Ayes—Messrs. Anderson, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn,

Ellison, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Turner, Vaughan, Wheeler, White, Wimberly, Woodhouse, York, and Young—87.

Nays—Messrs. Newell, Norment, and Pettipher—3.

S. B. 469, a bill to authorize the commissioners of McDowell county to levy a special tax, is put on its second reading, and passes by the following vote:

Ayes—Messrs. Armstrong, Barringer, Bateman, Battle, Bingham, Bizzell, Blaisdell, Blocker, Brown of Mecklenburg, Bryson, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Clarke, Click, Cobb, Colwell, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ewing, Forbes, Foster, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Holt, Huffstetler, Johnson, Lamb, Leach, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Orchard, Osborne, Paxton, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, and York—72.

Nays—Messrs. Christmas, Newell, Norment, Pettipher, and Turner—5.

S. B. 631, a bill to authorize the commissioners of Harnett county to levy a special tax and for other purposes, is put on its second reading and passes by the following vote:

Ayes—Messrs. Anderson, Barringer, Bateman, Battle, Berry, Bingham, Bird, Bizzell, Blocker, Bost, Brown of

Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Colwell, Council, Covington, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Gatling, Goldston, Grant, Henderson, Hines, Hobbs, Holt, Huffstetler, Johnson, Lamb, Leach, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Osborne, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Smith, Taylor, Turner, Vaughan, Wheeler, Wimberly, Woodhouse, York, and Young—82.

Nays—None.

On motion of Mr. Clarke,

S. B. 567, a bill to prevent obstacles to navigation in the waters of Newport river, Carteret county, passed at the session of 1874-'75, and to amend chapter 108, of Battle's Revisal, entitled statutes, &c., &c., is taken from the Calendar and referred to the committee on the Judiciary.

H. B. 247, a bill to amend the charter of the town of Laurinburg, in the county of Richmond, is put on its second reading.

The question is on the amendment of the Committee, which is adopted.

And then on motion of Mr. Jones, the bill is laid on the table.

On motion of Mr. English, the House adjourns until this evening at half-past seven o'clock.

Evening Session.

House of Representatives,
Wednesday, March 5th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

By consent,

Mr. Brown of Mecklenburg, introduces a bill to amend chapter 122, laws of 1876–'77, which is referred to the committee on Agriculture.

And on motion of the same,

H. B. 886, a bill to ascertain the indebtedness of certain townships, is referred to the same committee.

The Speaker causes the announcement of the following messages from the Senate:

A message transmitting

S. B. 389, a bill providing for the completion of the Western Insane Asylum, and asking the concurrence of the House therein.

The bill is read for the first time in this House and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting Senate amendments to

H. B. 354, S. B. 608, which are concurred in, and the bill ordered to be enrolled for ratification, and a message is sent to the Senate informing that body of the action of the House.

A MESSAGE IS RECEIVED FROM THE SENATE,

transmitting the following bills and asking the concurrence of the House:

S. B. 339, a bill to repeal chapter 148, private laws of 1868–'69, in reference to the town of Ridgeway;

S. B. 693, a bill to levy a special tax in Pasquotank county;

S. B. 633, a bill to prohibit the sale of intoxicating liquor in certain localities; and

S. B. 544, a bill to amend the charter of the Rutherford and Spartanburg Railway Company.

They are read the first time and disposed of as follows:

S. B. 339 is referred to the committee on Corporations;

S. B. 693 is placed on the Calendar;

S. B. 633 is referred to the committee on Propositions and Grievances; and

S. B. 544 to the committee on Internal Improvements.

A message is received from the Senate transmitting the following bills and asking the concurrence of the House:

S. B. 351, a bill for the creation and regulation of industrial and provident societies;

S. B. 762, a bill to incorporate the Rockingham and Salisbury Railroad Company;

Senate substitute for

S. B. 566, a bill to amend an act to establish a department of agriculture, &c.;

S. B. 658, a bill to incorporate the Roxboro and ..... Narrow Gauge Railroad; and

Senate substitute to

H. B. 596, S. B. 714, a bill to repeal an act to change the dividing line between the counties of Brunswick and Columbus.

They are read first time in this House and disposed of as follows:

S. B. 351 to the committee on Corporations;

S. B. 762 is placed on the Calendar;

Senate substitute for H. B. 566 to committee on Agriculture;

S. B. 658 to committee on Internal Improvements; and

Senate substitute for H. B. 596, S. B. 714, is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, and asking the concurrence of the House therein:

S. B. 678, a bill to incorporate the town of Qhuhele, formerly Tilden; and

S. B. 725, a bill to incorporate the Cape Fear bank.

They are read for the first time in this House and disposed of as follows:

S. B. 678 is placed on the Calendar; and

S. B. 725 to the committee on Banks and Currency.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills and asking the concurrence of the House:

S. B. 492, a bill to cure irregularities in certain judicial proceedings, &c.;

S. B. 636, a bill to incorporate the town of Manly Station, Moore county;

S. B. 538, a bill to incorporate the town of Roxboro, Person county;

S. B. 674, a bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties; and

S. B. 231, a bill for the protection of fish.

They are read for the first time in this House and disposed of as follows:

S. B. 492 to the committee on the Judiciary;

S. B. 636 and S. B. 538 to the committee on Corporations;

S. B. 674 to the committee on Education; and

S. B. 231 to the committee on Fish Interest.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following engrossed amendments, and asking the concurrence of the House therein:

H. B. 699, S. B. 667, a bill concerning the working of convicts on the Ore Knob and Mount Airy Railroad;

H. B. 623, S. B. 681, a bill to amend chapter 154, laws of 1876–'77; and

H. B. 819, S. B. 724, a bill to incorporate the Piedmont Mining and Banking Company.

The engrossed amendments to the above bills are concurred in, and they are ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills and asking the concurrence of the House in the same:

S. B. 729, a bill to secure to widows and minor children the personal property exemptions provided by the Constitution;

S. B. 6, a bill to restore to judgment debtors homestead and property exemptions; and they are read the first time in this House and referred to the Judiciary Committee.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting an engrossed Senate amendment to

H. B. 834, S. B. 734, a bill to amend an act to incorporate the Oxford and Henderson Railroad Company, asking the concurrence of the House.

Action on the motion to concur is postponed and made special order for Thursday next at 11 A. M.

THE SPECIAL ORDER,

being

H. B. 751, a bill to be entitled an act to provide for the support of the Penitentiary for the years of 1879–'80, is announced, and the question is put on the amendment proposed by the Committee, which is adopted.

Mr. Clarke offers the following amendment:

In regard to the guards strike out "$15" and insert "$20."

The question is put on the amendment and it is rejected.

Mr. Ellison offers the following amendment, which is adopted:

Amend by inserting the following proviso: "*Provided*, the money appropriated for the maintenance of the convicts on the W. N. C. R. R. shall be disbursed by the Board of Directors of the Penitentiary."

Mr. Ellison offers the following additional amendment:

"*Provided further*, that no whipping or other inhuman punishment shall be inflicted upon such convicts, and they shall be under the supervision of the Board of Directors of the Penitentiary."

Mr. Richardson of Columbus, moves that the bill under consideration be postponed for twenty minutes, and on a division, the motion to postpone fails for want of a quorum. The question is again put and the motion prevails.

THE SECOND SPECIAL ORDER,

S. B. 476, a bill to abolish the Insane Asylum of North

Carolina, and to incorporate the North Carolina Insane Asylum, is announced, and the bill is put on its 3rd reading and passes and is ordered to be enrolled for ratification.

THE THIRD SPECIAL ORDER,

H. B. 848, a bill to revise and consolidate the Public School law, is announced; and on motion of Mr. Richardson of Columbus, the present consideration of the bill is postponed, and the bill made a special order for to-morrow at 12 M.

THE FOURTH SPECIAL ORDER,

a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind, and the insane of the State, is announced; and on motion of Mr. Richardson of Columbus, is postponed and made the special order for to-morrow at 1 P. M.

On motion of Mr. Richardson of Columbus,

H. B. 788, a bill to create a Board of Internal Improvements and to define its powers, is taken up and put on its readings.

The amendments proposed by the committee are adopted.

Mr. Turner offers the following amendment:

Amend by striking out "one from each judicial district," and insert "four, to be appointed by the Governor."

And the question being put on the amendment, it is rejected.

Mr. Clarke moves the bill be laid on the table, upon which Mr. Richardson of Columbus, demands the ayes and nays.

The call is sustained, and the bill is laid on the table by the following vote:

Ayes—Messrs. Anderson, Barringer, Battle, Bernard, Bing-

ham, Bird, Blaisdell, Blalock, Blocker, Bruce, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carson, Cary, Christmas, Clarke, Cobb, Coffield, Council, Covington, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Ellison, Ferrell, Harrell, Hewett, Hobbs, Leach, Lowry, Lutterloh, Miller, Newell, Norment, Osborne, Paxton, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Roberson, Turner, Waddell, Wimberly, and Wynne—51.

Nays—Messrs. Angier, Ardrey, Armstrong, Bateman, Berry, Bizzell, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carroll, Chadwick, Colwell, Cooke, Davis of Catawba, English, Etheridge, Ewing, Foster, Gatling, Goldston, Grant, Hines, Holt, Huffstetler, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, McLean, Oliver, Orchard, Powers, Rawley, Richardson of Columbus, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young —47.

By consent,

Mr. Taylor, from the committee on Corporations, makes a favorable report on

H. B. 592, a bill to incorporate the Wilmington, Wrightsville and Onslow Railroad.

By consent,

Mr. Ellison introduces a bill to amend the Mechanics Lien Law, and allow sub-contractors a lien; which is placed on the Calendar.

By consent,

Mr. Richardson of Wake, introduces a bill to allow J. J. Nowell, sheriff of Wake, to collect arrears of taxes; which is referred to the committee on Finance.

By consent,

Mr. Richardson of Wake, introduces a resolution in favor of R. P. Howell, assistant enrolling clerk in the last General Assembly, which is placed on the Calendar.

THE CALENDAR IS RESUMED,

and

H. B. 525, a bill to incorporate the town of Lowell, in Gaston county, is put on its second reading.

The question is on the substitute offered by the committee, which is adopted, and the bill so substituted passes, and is ordered to be sent to the Senate with engrossed amendments; and it is so transmitted.

S. B. 366, a bill to amend section 3, chapter 61, laws of 1871–'72, passes its several readings, and is ordered to be enrolled for ratification.

THE CALENDAR

is taken up, and

S. B. 580, H. B. 805, a bill to fund the floating debt of Edgecombe county, passes its second reading by the following vote:

Ayes—Messrs. Amis, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Click, Cobb, Colwell, Covington, Davis of Catawba, Davis of Madison, Dimsdale, Dixon, Dunn, Etheridge, Ewing, Foard, Forbes, Foster, Harrell, Henderson, Hines, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, Woodhouse, York, and Young—75.

Nays—None.

S. B. 419, H. B. 825, a bill to incorporate the town of

Saul's Cross Roads, in the county of Wayne, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Etheridge, Ewing, Foard, Forbes, Grant, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Roberson, Smith, Taylor, Vaughan, Wheeler, Wimberly, York, and Young—84.

Nays—None.

H. B. 764, a bill to incorporate the Lowell Manufacturing Company, in the county of Gaston, is put on its second reading, and the amendments offered by the Committee are adopted, and the bill as amended passes its second reading. The rules are suspended and the bill is put on its third reading.

On the passage of the bill, Mr. Cobb demands the previous question. The call is sustained and the main question is ordered.

The question is on the bill on its third reading, and the bill passes, and is ordered to be engrossed and sent to the Senate.

S. B. 133, a bill to employ convict labor on the Wilson and Tar River Railroad, is put on its readings and passes, and is ordered to be enrolled for ratification.

H. B. 717, a bill to enlarge and extend the corporate limits of the town of Monroe, passes its several readings

and is ordered to be sent to the Senate without engrossment.

H. B. 629, a bill to allow the railroads to change their gauge, is put on its readings. The amendments of the Committee are not concurred in.

Mr. Richardson of Columbus, moves to amend by inserting the following after the word "road" in line 11:

"Connecting with the said Caldwell and Watauga Narrow Gauge Railroad."

The amendment is rejected.

Pending the further consideration of the bill, on motion of Mr. Orchard, the House adjourns until to-morrow morning at 10 o'clock.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
Thursday, March 6th, 1879.

The House meets this morning at ten o'clock, and is called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Mr. Norman of the city.

The reading of the Journal of yesterday is suspended and it stands as approved.

INTRODUCTION OF PETITIONS, &C.

By Mr. Cobb,

A petition of citizens of the county of Lincoln against the fence law; and

By Mr. Mebane,

Sundry petitions of a number of citizens of Alamance county, asking the repeal of all laws prohibiting the sale of liquor in Alamance county; all of which are referred to the committee on Propositions and Grievances.

LEAVES OF ABSENCE

are granted to Mr. Vaughan on account of sickness; to

Mr. Covington until Monday, on account of sickness in his family; and to

Mr. McCorkle to attend as witness at a Court to which he is recognized as an important witness.

REPORTS OF COMMITTEES.

Mr. Ardrey, from the committee on Agriculture, &c., reports favorably on

H. B. 907, a bill to amend chapter 122, laws of 1876–'77; on

S. B. 443, H. B. 897, a bill to amend the charter of the Flat Swamp, Lock's Creek and Evans' Creek Canal Company of Cumberland county, and also recommending the reference of

H. B. 886, a bill to ascertain the indebtedness of certain townships in Mecklenburg county and for the payment thereof, to the committee on the Judiciary.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

S. B. 517, H. B. 868, a bill to levy a special tax in Perquimans county.

Mr. English, from the committee on Penal Institutions, reports on

H. B. 751, a bill to provide for the support of the penitentiary for the years 1879–'80, recommending the adoption of an accompanying substitute.

Mr. Jones, from the committee on Corporations, reports favorably on

S. B. 636, H. B. 912, a bill to incorporate the town of Manly Station, Moore county; on

S. B. 687, H. B. 898, a bill to amend the charter of the town of Pittsboro; on

H. B. 890, a bill to incorporate Piedmont Lodge of I. O. G. T., Hickory; on

S. B. 538, H. B. 915, a bill to incorporate the town of Roxboro, Person county; on

S. B. 351, H. B. 920, a bill for the creation and regulation of industrial and provident societies; and recommending the reference of

S. B. 339, H. B. 922, a bill to repeal chapter 148, private laws 1868–'69, to the committee on Propositions and Grievances; and

H. B. 906, to define the line between the counties of Brunswick and Columbus, to the committee on Counties, Cities, Towns and Townships.

The committee on Enrolled Bills reports as correctly enrolled:

An act to incorporate the town of Newton Grove in the county of Sampson;

An act to incorporate the Six Runs Land Draining Company;

An act for the benefit of the Winston, Salem and Mocresville R. R. Company;

An act to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad Company, which was ratified January 24th, 1873;

An act to incorporate the Smithfield and Cape Fear Narrow Guage Railroad Company;

An act to authorize the Board of County Commissioners of Onslow county to issue bonds, and for other purposes;

An act to amend sections 4 and 7, chapter 37 of Battle's Revisal, it being the law of divorce;

An act to amend chapter 49, laws of 1876-'77;

An act to incorporate the town of Hickory in the county of Catawba.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 637, a bill to authorize Granville county to fund its debt;

A bill to raise revenue;

H. B. 764, a bill to incorporate the Lawrence Manufacturing Company of Gaston county, North Carolina.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner,

A resolution concerning the spoilation of the State, which is placed on the Calendar.

By Mr. Clarke,

A resolution in regard to immigration, &c., which is referred to the committee on Agriculture, &c.

INTRODUCTION OF BILLS.

By Mr. Cary,

A bill to incorporate the Roxboro, Leasburg and Danville Turnpike Company, which is referred to the committee on Internal Improvements.

Mr. Turner offers the following protest, which is ordered to be spread on the Journal:

Josiah Turner, the member from Orange, protests against the mode and manner of the passage of H. B. 764, a bill to incorporate the Lowell Manufacturing Company.

The previous question was called, and all debate against the bill was cut off.

The original bill unamended was dangerous and un-

heard of in North Carolina; amended as it is, the bill should not pass.

The bill sought improper advantages for the corporators by exempting their personal and real estate from taxation for ninety-nine years. It provided for banking, issuing bonds, discounting notes, &c. It allowed stock to be subscribed to the corporation in work, labor, personal or real estate, water powers, purchases and privileges, material and merchandize; and it now allows the corporation to declare "scrip" or paper dividends instead of dividends in money.

Why not subscribe for stock in moonshine as well as water power, water privileges, dry goods and spotted calico, and declare dividends payable in the seven stars or white juice that flows down the milky way.

Against this bill and all like it, I enter my solemn protest. JOSIAH TURNER.

THE UNFINISHED BUSINESS

of last night, being a substitute for

H. B. 629, a bill to allow railroads to change their guage is announced, the question being upon the amendment of Mr. Richardson of Columbus, to strike out "any other railroad" in section 1, which is adopted, and the bill as amended passes its second reading, and goes to its third reading.

Mr. York offers the following amendment:

"*Provided*, that this act shall only apply to the Mount Airy and Ore Knob N. G. R. R., the Chester and Lenoir N. G. R. R., the Caldwell and Watauga N. G. R. R. and the Cape Fear and Yadkin Valley Railroad and their connections."

Mr. Richardson of Columbus, moves to refer the bill back

to the committee on Internal Improvements, pending the consideration of which motion,

THE SPECIAL ORDER,

H. B. 519, a bill to compromise, commute and settle that portion of the State debt known as the Williamston and Tarboro Railroad bonds, is announced.

On motion of Mr. Amis,

H. B. 834 is made special order for one o'clock P. M. this day.

On motion of Mr. Council, the consideration of the special order is postponed until the matter before the House is disposed of.

Consideration of the bill is resumed, the amendment of Mr. York is adopted, and the bill as amended, on a division, passes its third reading, and is ordered to be engrossed and sent to the Senate for concurrence.

The consideration of the special order is resumed.

Mr. Foard offers the following amendment:

Strike out preamble. Strike out section 1 and insert: "The Public Treasurer is hereby directed to issue to the Seaboard and Raleigh Railroad Company, for the completion of the Williamston and Tarboro railroad, the sum of fifty thousand dollars in State bonds, to bear interest at a rate not to exceed 6 per cent., under conditions provided in section 2 of this act."

Strike out section four.

On the passage of the bill on its third reading, Mr. Bernard demands the previous question.

The call is sustained and the main question is ordered.

The question is then on the amendment of Mr. Foard, which, on a division, is rejected, ayes 8, nays 53.

The question is then on the passage of the bill on its third

reading, and it passes by the following vote and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Bateman, Battle, Bernard, Blaisdell, Blocker, Bonner, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Cary, Chadwick, Christmas, Clarke, Cooke, Covington, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, Ferrell, Forbes, Hobbs, Horton, Leatherwood, Lindsay, Lowry, Lutterloh, Melson, Moore, Newell, Norment, Oliver, Osborne, Paxton, Pettipher, Reynolds, Richardson of Wake, Roberson, Scott, Taylor, Waddell, Wimberly, Woodhouse, and Wynne—52.

Nays—Messrs. Angier, Ardrey, Armstrong, Barringer, Bingham, Bird, Bizzell, Blalock, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Carson, Click, Cobb, Colwell, Council, English, Ewing, Foard, Foster, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Lewis, Lockhart, Mebane, McGehee, McLean, Orchard, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Turner, Wheeler, York, and Young—49.

Mr. Clarke moves to reconsider the vote by which the bill passes its third reading and to lay that motion on the table. On the motion to table the motion to reconsider, Mr. Jones demands the ayes and nays. The call is sustained and the motion to table prevails by the following vote:

Ayes—Messrs. Amis, Anderson, Bateman, Battle, Bernard, Blaisdell, Blocker, Bonner, Buchan, Burroughs, Cale, Carter of Warren, Cary, Chadwick, Christmas, Clarke, Cooke, Covington, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, Ellison, Etheridge, Ewing, Ferrell, Forbes, Hobbs, Holt, Leatherwood, Lindsay, Lutterloh, Melson, Moore, Newell, Norment, Oliver, Osborne, Paxton, Pettipher, Reynolds, Richardson of Wake, Roberson, Scott, Taylor, Waddell, Wimberly, Woodhouse and Wynne—50.

Nays—Messrs. Angier, Ardrey, Armstrong, Barringer,

Bingham, Bird, Bizzell, Blalock, Bost, Brown of Mecklenburg, Carter of Yancey, Carroll, Carson, Click, Colwell, Council, Davis of Catawba, English, Foard, Foster, Goldston, Grant, Harrell, Henderson, Hewett, Hines, Huffstetler, Jones, Johnson, Lamb, Leach, Lewis, Lockhart, Lowry, Mebane, McGehee, McLean, Orchard, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Turner, Wheeler, York, and Young—48.

THE SPECIAL ORDER,

H. B. 848, a bill to revise and consolidate the public school law, is announced; and it is ordered that the question be now considered with reference only to those sections of the bill which contain new matter, or alter or amend sections of the existing school law.

Mr. English offers the following amendment to section 8, which is adopted:

"The county treasurer of each county shall receive as a compensation in full of all services required of him by law, such a per centum, not exceeding two and a half, on account of receipts and disbursements, as the county commissioners, or a majority of them, may deem adequate and proper on the entire amount of school funds which may pass through his hands each year; but he shall state the amount of his commissions in his annual report to the Superintennent of Public Instruction provided for in this act.

The secretary of each county board of education shall receive such compensation for his services as may be allowed by the county board of education, which shall be paid out of the school fund on an order signed by a majority of the board, which order shall be a valid voucher for the disbursement of the school fund so applied."

Mr. Colwell offers the following amendment:

Amend section 25 by adding, "except in cases where ten or more children are too remote to attend the public schools, their pro rata share of the public money shall be allowed to assist in keeping a private school for their benefit."

The question is put on this amendment, and it is adopted by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Bernard, Berry, Bizzell, Bost, Brown of Mecklenburg, Bryson, Burroughs, Carroll, Carson, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Davis of Catawba, Ferrell, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hines, Huffstetler, Jones, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Melson, Miller, Orchard, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Wheeler, York, and Young—49.

Nays—Messrs. Bateman, Battle, Bingham, Bird, Blalock, Blocker, Bonner, Bruce, Buchan, Carter of Warren, Cary, Christmas, Clarke, Council, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Henderson, Hewett, Hobbs, Johnson, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Oliver, Osborne, Pettipher, Powers, Rawley, Reynolds, Richardson of Wake, Taylor, Turner, Waddell, Wimberly, and Woodhouse—46.

The following amendment, offered by Mr. Colwell, to section 26, is adopted:

Amend section 26, line 5, by striking out "shall" and insert "may."

Mr. Cary offers the following amendment to section 27, which is rejected:

In line 3, strike out all after the word "district," down to to the word "provided" in line 5; strike out the "not" in line 6 after "fund." Strike out "more than" in line 7 after

word "grade." Strike out the words "not more than" in the 8th line after the word "grade." Strike out the words "not more than" so it will read as amended, "teachers of the first grade shall receive $2 per day; teachers of the 2nd grade shall receive $1.50 per day; and teachers of the 3rd grade shall receive $1 per day."

And the amendment is rejected.

Mr. English offers the following amendment to section 29, which is accepted:

Amend in line 13, section 29, by inserting the words, "and length of time," after the word "pupils."

Mr. English offers the following amendment to section 30, which is accepted:

Amend section 30 by inserting after the word "time," the words "together with a certificate stating conformity to the provisions of section 35."

Mr. Christmas offers the following amendment to section 39, which is rejected:

Amend section 39 by striking out "10 cents," and insert in lieu thereof "13½ cents." And strike out "30 cents" and insert in lieu thereof "36⅔, the proceeds of which, 1-5, is to be applied to the purchasing of books for the several public schools; *Provided, however*, that the books shall be purchased in the following manner: The order for books shall be signed by the majority of the committee and the teacher of the school for which the books are ordered, and also approved by the chairman and secretary of the county board of education."

Mr. Foard offers the following amendment to section 39:

Line 6, strike out "10" and insert "8⅓." In line 7 and 8 strike out "30" and insert "25."

On the adoption of the amendment of Mr. Foard, Mr. English demands the previous question.

The call is sustained, and the main question is ordered.

The question is on the amendment of Mr. Foard, and it is rejected.

Section 48 and 49 are adopted.

Section 50 is read, when,

Mr. Davis of Catawba, introduces the following amendment:

SECTION 50. That upon the application of the school committee or a majority of them, of any school district for the white race, or of any school district for the colored race, asking that an additional tax be laid on the property, credits and polls of the district, for school purposes, and stating the amount of money needed for such purposes to the board of commissioners of the county, said board of commissioners shall order an election to be held in such district at which the question of "tax" or "no tax" shall be submitted to the qualified white voters of the district, if it be a district for the white race, or to the qualified colored voters of the district, if it be a district for the colored race, and the said board of county commissioners shall cause to be posted by the school committee, at at least four public places within such district, for at least thirty days immediately preceding such election, notices of such election stating the day on which, and the purposes for which, the election is to be held.

SEC. 51. That the county commissioners shall appoint three qualified voters of such district as poll-holders and judges of election, whose duty it shall be to open the polls and prepare a suitable box in which the ballots of those voting shall be deposited: *Provided*, they shall first take an

oath before a justice of the peace for the county that they will faithfully discharge the duties of a poll-holder in such election according to law.

SEC. 52. That at such election all *bona fide* white residents of the district, if it be a district for the white race, and all *bona fide* colored residents of the district, if it be a district for the colored race, who may be qualified voters in State and county elections, shall be deemed to be qualified voters within the meaning of this act.

SEC. 53. That in such election for a white district each qualified white voter shall be entitled to cast one vote on which shall be written or printed the word "tax," if he desires to vote for such tax, or the words "no tax," if he desires to vote against such tax, and the same rule shall apply to colored voters of any district if such election is held for such colored district.

SEC. 54. That at such election the polls shall be opened at the hour of seven o'clock A. M. and shall be closed at sun-set. After the polls shall have been closed the poll-holders shall count the votes and shall, within five days after the election, certify the returns to the register of deeds of the county, who shall deliver the same to the chairman of the board of county commissioners at the next monthly meeting of the board, when the board shall compare the vote and declare the result.

SEC. 55. That if a majority of the votes at such election shall be cast for "tax," the board of county commissioners shall direct the register of deeds of the county, together with the school committee of any district so voting, to prepare a tax list for such school district, which list shall contain a correct statement of all taxable property and solvent credits belonging to the white residents of such school district and situated therein, if it be a district for the white race, or belonging to the colored residents if it be a district for the colored race and situated therein, and a list of the white polls or colored polls, as the case may be, which list

shall be taken from the State and county tax list. The register of deeds shall compute the amount of taxes due from the property and polls on such list and place the amount so due on such list in separate columns for poll and property tax, and shall in such computation observe the constitutional equation between polls and property. He shall receive such compensation for such services as the board of county commissioners shall deem just and see fit to allow, which shall be paid out of the fund to be collected, on the order of the board of county commissioners.

SEC. 56. That the tax list, made out as required in the preceding section of this act, shall be delivered to the sheriff or tax collector of the county, who shall, after giving thirty days' notice in at least four public places in such district, proceed to collect such taxes in money, and in the collection of such taxes shall be governed by the same laws as are in force in reference to the collection of State and county taxes. He shall give bond with approved security for double the amount of the taxes levied and due upon such tax list, for the faithful collection and accounting for such taxes.

SEC. 57. The sheriff or tax collector shall pay to the county treasurer in money, or tax receivable coupons, the taxes collected on such tax list, within thirty days after its collection and take the treasurer's receipt in duplicate for the same, one of which he shall retain as voucher for his own protection and the other he shall turn over to the county commissioners, to be filed in the office of the register of deeds. He shall, in his settlement with the county treasurer, be allowed credits for insolvents, under such rules and regulations as are fixed by law for such allowance in the collection of State and county taxes.

SEC. 58. The county treasurer shall receipt in duplicate to the sheriff or tax collector for such taxes as may be paid to him under the provisions of the preceding section of this act. He shall place the fund thus paid to him to the credit of the school district for which it was levied and col-

lected, and shall pay it out on the orders of the school committee for such district for school purposes, and shall be liable on his official bond for the said fund, as he is or may be for other school funds passing through his hands. He shall account for the same in his report to the county board of education, and in his annual report to the Superintendent of Public Instruction.

SEC. 59. That the school committee of any district voting a special tax under the provisions of this act shall not be subject to the restrictions and limitations of salary to be paid to teachers imposed by section ..... of this act.

Pending the consideration of section 50, the House yielded to a motion of Mr. Blocker's and adjourns until this evening at half-past seven o'clock.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
Thursday, March 6th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

THE UNFINISHED BUSINESS

of the morning session is resumed, being the amendments offered by Mr. Davis of Catawba, to H. B. 848.

The question is put on the amendments and they are adopted.

Mr. Bryson offers the following amendment, which is rejected:

Amend section 28 by adding: "*Provided*, that schools may begin before the 1st of September."

Mr. Huffstetler sends forward the following amendment, which is also rejected:

Amend by inserting after the word "however," in the fourth line, section 27, as follows: "That teachers of the first grade shall not receive out of the school fund more than one dollar and fifty cents per day; of the second grade not more than one dollar and twenty-five cents per day, and of the third grade not more than one dollar per day."

Mr. Reynolds offers the following amendment, which is rejected:

Insert the following proviso at the end of section 21:

"*Provided*, That in any school district in Halifax county, composed in whole or in part of any incorporated town, the school committee may establish a suitable number of evening schools for the education of such youths as are deprived by their daily vocation of attending day schools, under such rules and regulations as they may adopt for the government thereof, subject, however, to the provisions of section 27 of this act: *Provided further*, that persons over school age may be admitted to the benefits of such evening schools upon the payment of such sums of money as they and the school committee shall agree upon, such money to be applied to the general school fund of such district."

The question is then on the bill on its second reading, and it passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blalock, Blocker, Bonner, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of

Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, English, Ewing, Ferrell, Foard, Forbes, Foster, Gatling, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Lamb, Leach, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Wynne, York, and Young—85.

Nays—None.

THE SPECIAL ORDER,

H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State, is announced, the bill being on its third reading, and the bill passes by the following vote and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blalock, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dimsdale, English, Ewing, Ferrell, Foard, Forbes, Foster, Fulcher, Gatling, Harrell, Hewett, Hines, Huffsteler, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey,

Roberson, Smith, Taylor, Turner, Wheeler, Woodhouse, York, and Young—78.

Nays—Messrs. Battle, Blaisdell, Cale, Carter of Warren, Cary, Christmas, Henderson, Hobbs, Jones, Lowry, Newell, Pettipher, Reynolds, Scott, Waddell, and Wimberly—16.

THE SECOND SPECIAL ORDER,

Senate amendments to H. B. 834, a bill to amend an act to incorporate the Oxford and Henderson Railroad Company, is announced.

Concurrence is had, and the bill is ordered to be enrolled and the Senate is notified of the action of the House.

THE CALENDAR

is taken up, and

The substitute for H. B. 751, a bill to provide for the support of the Penitentiary for the years 1879–'80, is taken up on its readings.

Mr. Ellison offers the following amendment:

Amend by *providing further*, that no convict shall be whipped or maltreated at the Penitentiary, and that this shall be under the control of the Directors of the Penitentiary.

The question is put and the amendment is rejected; a motion to put the question by the ayes and nays having failed.

The question is then on the adoption of the substitute, which is adopted, and the bill so subtituted passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

S. B. 426, a bill to incorporate the Farmers' Bank of Milton, in Caswell county, North Carolina, is put on its several readings, and is ordered to be enrolled for ratification.

H. B. 666, a bill to prohibit the admission of testimony of the party of interest or assignee in suits for debts contracted prior to April 23rd, 1868, is taken up.

Mr. Orchard offers the following amendment, which is rejected:

"Amend by saying that this act shall not apply to any action commenced before its passage."

And the bill is on its second reading, upon which reading Mr. Norment demands the ayes and nays. The call is sustained, and the bill passes its second reading by the following vote:

Ayes—Messrs. Angier, Battle, Bingham, Blocker, Bonner, Bruce, Buchan, Carter of Yancey, Chadwick, Christmas, Click, Colwell, Council, Davis of Madison, Dimsdale, Dixon, Ellison, Ewing, Ferrell, Foard, Gatling, Henderson, Hewett, Hines, Hobbs, Huffstetler, Leach, Lindsay, Lockhart, Lowry, Meares, Mebane, Melson, Miller, Moore, Newell, Norment, Osborne, Pettipher, Powers, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Turner, Waddell, Wimberly, Wynne and York—52.

Nays—Messrs. Amis, Anderson, Ardrey, Armstrong, Bateman, Berry, Bizzell, Blalock, Bost, Brown of Mecklenburg, Bryson, Burroughs, Carter of Buncombe, Carter of Warren, Carroll, Carson, Davis of Catawba, Davis of Haywood, English, Foster, Fulcher, Jones, Lamb, Leatherwood, Lewis, Lutterloh, McGehee, McLean, Orchard, Rawley, Reid of Macon, Smith, Taylor, Wheeler, Woodhouse and Young—35.

On motion of Mr. Norment the bill is put on its third reading and passes, and is ordered to be sent to the Senate without engrossment, and is so transmitted.

H. B. 794, a bill to incorporate the North Carolina and Virginia Christian Conference, is put upon its readings and passes, and is ordered to be engrossed and sent to the Senate for concurrence.

Senate substitute for H. B. 796, a bill to change the dividing line between the counties of Brunswick and Columbus, is put on concurrence. The Senate substitute is accepted and the bill ordered to be enrolled for ratification.

S. B. 522, a bill to incorporate the Burgaw and Onslow Railroad Company, is put on its readings.

Mr. Lockhart offers the following amendment:

"*Provided further*, this road, its franchises and property shall not be exempt from taxation."

The amendment is adopted and the bill so amended passes, and is ordered to be sent to the Senate with engrossed amendments.

H. B. 584, a bill to amend chapter 87, sections 34, 35, 36 and 37 of Battle's Revisal, is put on its readings, passes and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Berry,

S. B. 389, a bill to provide for the completion of the Western Asylum for the Insane, is made the special order for to-morrow at 12 M.

On motion of Mr. Davis of Haywood,

H. B. 616, a bill to establish a new county by the name of Jarvis, is made special order for Monday night at eight o'clock.

On motion of Mr. Lindsay,

H. B. 520, a bill to create a municipal corporation board of record for each county in the State, is made special order for one o'clock to-morrow.

On motion of Mr. Brown of Mecklenburg,

S. B. 566, a bill to amend an act to establish a department of agriculture, is made the special order for to-morrow night at 8 P. M.

By consent,

Mr. Norment introduces a bill to amend title IV, chapter

1, section 16, of chapter 17, Battle's Revisal, in regard to limitations of actions; and under a suspension of the rules the bill is taken from the Calendar and made special order for to-morrow at 10 A. M.

H. B. 734, a bill to define false pretense, passes its several readings, and is sent to the Senate without engrossment.

S. B. 25, a bill to amend chapter 87, private laws of 1870–'71, concerning Rock Spring Camp Ground, is put on its several readings and passes, and is ordered to be enrolled for ratification.

S. B. 762, H. B. 908, a bill to incorporate the Rockingham and Salisbury Railroad Company, is put on its readings, and on motion of Mr. Turner is laid on the table.

H. B. 750, a bill to authorize the commissioners of Anson county to levy a special tax, passes its third reading by the following vote, and is ordered to be sent to the Senate without engrossment:

Ayes—Messrs. Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bizzell, Blocker, Brown of Mecklenburg, Bryson, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dixon, Ellison, Ferrell, Forbes, Foster, Foy, Gatling, Grant, Henderson, Hines, Hobbs, Huffstetler, Jones, Leatherwood, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McGehee, McLean, Oliver, Orchard, Osborne, Pettipher, Powers, Reid of Macon, Reynolds, Richardson of Columbus, Ritchey, Taylor, Turner, Wheeler, Woodhouse, York, and Young—70.

Nays—Messrs. Leach, Norment, Scott, and Waddell—4.

H. B. 248, a bill to authorize the commissioners of Richmond county to levy a special tax, passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Ardrey, Armstrong, Bar-

ringer, Battle, Berry, Bingham, Bizzell, Blalock, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dixon, Ellison, Ewing, Foster, Fulcher, Grant, Harrell, Henderson, Hobbs, Huffstetler, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Taylor, Wheeler, Woodhouse, Wynne, and Young—75.

Nay—Mr. Norment.

Mr. English, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 891, a bill to commute, compromise and settle the State debt, known as the Williamston and Tarboro Railroad Bonds;

H. B. 629, a bill to authorize the Caldwell and Watauga Narrow Guage Railroad to change guage;

S. B. 443, H. B. 897, a bill to amend the charter of Flat Swamp, Lock's Creek and Evans' Creek Canal Company, is put on its second reading, passes, and

On motion of Mr. Blocker, the rules are suspended, the bill is put on its third reading, passes and is ordered to be enrolled for ratification.

S. B. 397, H. B. 601, a bill to be entitled "An act to amend the election law," is put on its passage.

Mr. Reynolds offers the following amendment:

Add the following, to come in as

"SEC. 7. That additional polling places in townships and wards wherein more than five hundred voters reside are hereby established, under the same rules and regulations

as now govern other polling places. That any poll-holder who shall act as such without being properly sworn, shall be deemed guilty of a crime infamous to the laws of this State, and on conviction thereof shall be fined not more than two hundred dollars or imprisoned for a term not to exceed two years at the discretion of the court. That any canvasser who shall fail, on request, to make and count the proper returns of his township, according to law, shall be guilty of a crime infamous to the laws of this State, and on conviction shall be fined not more than five hundred dollars or imprisoned not more than five years."

Upon the passage of the bill Mr. Cobb demands the previous question. The call is sustained and the main question ordered.

The question is then put upon the amendment of Mr. Reynolds, upon which Mr. Norment demands the ayes and nays. The call is sustained and the amendment is rejected by the following vote:

Ayes—Messrs. Bateman, Battle, Blaisdell, Cale, Carter of Warren, Cary, Christmas, Clarke, Davis of Madison, Dimsdale, Dixon, Dunn, Ellison, Ewing, Foy, Hobbs, Lowry, Lutterloh, Newell, Norment, Osborne, Pettipher, Reynolds, Scott, Venable, Waddell, Wimberly, and Wynne—28.

Nays—Messrs. Anderson, Angier, Ardrey, Armstrong, Bernard, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Yancey, Carroll, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, English, Foard, Forbes, Foster, Gatling, Grant, Harrell, Hewett, Hines, Holt, Huffstetler, Jones, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Meares, Mebane, Melson, Moore, McGehee, McLean, Oliver, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Smith, Taylor, Turner, Wheeler, Woodhouse, York, and Young—59.

Mr. Jones offered the following protest, which is ordered to be spread on the Journal:

PROTEST.

We, the undersigned members of the House of Representatives, avail ourselves of our constitutional right to enter upon the Journal of the House our protest against the action of the House in passing this, a bill to be entitled an act to compromise, commute and settle that portion of the State debt known as the Williamston and Tarboro Railroad, and to State our reasons for the same:

1st. The title of the bill is deceptive, in that it pretends to a settlement of a portion of the State debt, when in point of fact it is solely for the benefit of a railroad corporation, and the State bonds held by such corporation, in our opinion, constitute no part of the debt of the State, either recognized by law or binding in honor.

2nd. It tends to impair the confidence of our honest creditors in the bill which we have passed compromising the just debt of the State, to the faithful carrying out of which the honor of this General Assembly and that of the people of the State is sacredly pledged.

3rd. We believe that the bill is in bad faith, in that it proposes to recognize as a part of the State debt a class of bonds discriminated against by the reporting the bill to settle the State debt; and issued by a Convention not representing the people of North Carolina, and called without their consent.

4th. We believe that the bonds in question are no more binding than the class known as special tax; any acknowledgement of which would, in our opinion, be a great outrage upon our constituents.

5th. We believe that the bill is unconstitutional, in that it pledges the State's credit in aid of a railroad not even

chartered until five years after the adoption of our Constitution, thereby violating section 5, of Article V, of that instrument.

March 6th, 1879.

(Signed,)

EDMUND JONES,	N. P. FOARD,
W. H. ORCHARD,	JOHN L. BROWN,
W. B. COUNCIL,	NEREUS C. ENGLISH,
SAM'L W. BLALOCK,	C. J. WHEELER,
L. HARRELL,	W. E. ARDREY,
J. M. CARSON,	L. E. POWERS,
T. L. RAWLEY,	H. C. BOST,
A. S. COLWELL,	B. C. COBB,
J. E. FOSTER,	M. A. ANGIER,
J. C. HINES,	R. B. DAVIS,
T. J. ARMSTRONG,	G. W. LAMB,
W. T. H. EWING,	J. D. CLICK,
D. G. CARTER,	E. A. BIZZELL,
H. B. HUFFSTETLER,	TYRE YORK,
E. J. HOLT,	G. F. SMITH,

B. S. BERRY.

S. B. 248, a bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity, is put on its several readings and passes, and is ordered to be enrolled for ratification.

By consent,

Mr. Clarke makes a report from the committee on the Judiciary, on

S. B. 567, a bill to prevent obstructions of navigation of Newport River, Carteret county, &c., and on motion of Mr. Clarke, the bill is made the special order for Friday night, March 7th, at 8:30.

By consent,

Mr. Blocker introduces a resolution to promote agriculture, &c., which is placed on the Calendar.

By consent,

Mr. Bost introduces a resolution limiting the time of debate, which is placed on the Calendar.

H. B. 881, a bill to establish a criminal judicial district, and to provide courts for the same, is taken up.

Mr. Turner moves to lay the bill on the table; and on a division, the motion to table prevails, ayes 38, nays 26.

Mr. Cobb moves to reconsider the vote by which the bill is laid on the table; and the motion to reconsider is ordered to be entered on the journal.

Mr. York moves that the vote by which S. B. 762 was laid on the table, be reconsidered. The motion prevails and reconsideration is had, and on motion of Mr. York, the bill is passed over informally.

The following is announced as the House Branch of the committee of Conference on the bill to incorporate the bank of Asheville: Messrs. Carter of Buncombe, Davis of Madison, Anderson, Cobb, and Clarke.

A MESSAGE FROM THE SENATE

is announced, transmitting

S. B. 763, a bill to consolidate the towns of Winston and Salem.

The bill is read by its title, and is made the special order for to-morrow at half-past ten o'clock; and

On motion of Mr. English, the House adjourns until to-morrow at 10 o'clock.

FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
Friday, March 7th, 1879.

The House meets this morning at ten o'clock, A. M., and is

called to order by Mr. Speaker Moring, and is opened with prayer by the Rev. Dr. Atkinson of the city.

The Journal of yesterday is partly read and stands as approved.

REPORTS OF COMMITTEES.

Mr. Cooke, from the committee on the Judiciary, reports on

S. B. 6, H. B. 910, a bill to restore to judgment debtors homestead and personal property exemptions, recommending its passage; also favorably on

S. B. 727, H. B. 909, a bill to secure to widows and minor children the personal property exemptions provided by the Constitution; on

S. B. 167, H. B. 799, a bill to extend the charter of certain banks; on

H. B. 820, a bill to authorize the commissioners of Wake county to pay certain claims for teaching schools, with amendment; and unfavorably on

H. B. 840, a bill to change section 2, article 2, Constitution of North Carolina in relation to the duration of the sessions of the General Assembly; on

H. B. 841, a bill to amend chapter 156, laws of 1876–'77.

Mr. Gatling, from the committee on Finance, reports favorably on

H. B. 273, a bill to serve notices to justices of the peace, road overseers and school committeemen by mail in lieu of service by the sheriffs of the several counties; and on

H. B. 44, a bill to amend the laws of 1876–'77, to relieve drovers from the $10 tax on horses or mules purchased within the State.

Mr. Taylor, from the committee on Internal Improvements, reports favorably on

S. B. 544, H. B. 921, a bill to amend the charter of the

Rutherford and Spartanburg Railroad Company, and for other purposes; on

H. B. 918, a bill to incorporate the Roxboro and ..... Narrow Gauge Railroad Company; on

S. B. 466, H. B. 895, a bill concerning receiving freights and charges of transportation, &c.; and recommending the reference of

H. B. 927, a bill to incorporate the Roxboro, Leasburg and Danville Turnpike Company, to the committee on Railroads, Postroads and Turnpikes.

Mr. Armstrong, from the committee on Propositions and Grievances, reports favorbly on

H. B. 155, a bill to repeal chapter 61, section 1, laws of 1872-'73; on

S. B. 477, H. B. 867, a bill to repeal chapter 59, entitled an act to provide a suitable house for the Governor, and to abolish the assistant clerkship in the Executive office; and unfavorably on

S. B. 41, H. B. 869, a bill to repeal the law prohibting the sale of liquor within three miles of Lawrence's church, Edgecombe county.

Mr. Lockhart, from the committee on Propositions and Grievances, reports on

H. B. 852, a bill for the protection of hotel-keepers, &c., recommending its passage after striking out section 3 of the bill; and recommending the adoption of an accompanying substitute for

S. B. 633, H. B. 933, a bill to prohibit the sale of liquor in certain localities; and unfavorably on

H. B. 888, a bill to authorize commissioners of Edgecombe county to appoint a tax collector; and on

S. B. 147, H. B. 865, a bill to prevent gambling in railroad cars.

Mr. Holt, from the committee on Finance, reports unfavorably on the following bills:

On H. B. 56, a bill for the support of the North Carolina

Institution for the Deaf and Dumb and Blind for the years 1879–'80;

H. R. 213, a resolution in favor of R. P. Howell, assistant enrolling clerk of the last General Assembly; on

H. B. 3, a bill to extend the time of A. J. McBride to settle taxes with the State Treasurer; on

H. B. 275, a bill to grant certificates of exemption to persons exempted from the payment of poll tax; on

H. B. 441, a bill to exempt *bona fide* resident citizens of other States from the payment of any tax upon purchases and sales of horses, mules or live stock; on

H. B. 417, a bill to provide for the re-assment of real property for taxation in Wake county; on

H. R. 84, a resolution in regard to jailors in the State, and on

H. B. 875, a bill in relation to the public school fund in this State.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. R. 103, a resolution in favor of Lincoln county, and unfavorably on

H. B. 926, a bill to allow J. J. Nowell, sheriff of Wake county, to collect arrears of taxes; and on

S. B. 373, H. B. 894, a bill to allow the county commissioners of Pender county to levy a special tax.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

S. B. 339, H. B. 922, a bill to repeal chapter 148, private laws of 1868–'69, in reference to the town of Ridgeway.

Mr. Holt, from the committee on Engrossed Bills, reports the following bill to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

H. B. 932, a bill to provide for filling vacancies in boards of county commissioners.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bill and engrossed amendment to

have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. —, a bill to provide and support the Penitentiary for the years 1879–'80.

Engrossed amendment to

S. B. 522, H. B. 864, a bill to incorporate the Burgaw and Onslow Railroad Company.

INTRODUCTION OF RESOLUTIONS.

By Mr. Jones of Caldwell,

A resolution in favor of the principal clerk of the House of Representatives and the secretary of the Senate, which is placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Chadwick,

A bill to be entitled "An act to amend chapter 120, Battle's Revisal; and

By Mr. Lindsay,

A bill to submit the question of the sale of spirituous liquors to the voters in the town of Reidsville, Rockingham county; both of which are referred to the committee on Propositions and Grievances.

By Mr. Pettipher,

An act for the relief of the Reliance Engine Company, No. 1, of the city of Newbern; referred to the committee on the Judiciary; and

By Mr. Lockhart,

A bill to be entitled "An act to provide for trial by jury in certain cases," which is placed on the Calendar.

By Mr. McGehee,

A bill to provide for filling vacancies on boards of county commissioners.

Under a suspension of the rules,

The bill is taken up and passes its several readings, and

is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Turner sent forward the following protest, which was read and ordered to be spread on the Journal of the House:

PROTEST.

The member from Orange protests against the passage of the act known as

S. B. 443, H. B. 897, entitled "An act to amend the charter of Flat Swamp, Lock's Creek and Evans' Creek Canal Company, of Cumberland county,"

And offers the following reasons:

I. He is informed there is a petition against it, which has not been considered by the House.

II. It appears obscurely from the bill that some persons have been seriously damaged by the corporation diverting water from mills and otherwise.

III. This bill takes away the remedy provided by the constitution and the law for the persons injured and substitutes "special proceedings" in Cumberland court.

IV. This corporation, from the reading of the bill, has inflicted damage upon individuals, and now to have said persons injured recompensed by taxing persons who did not wrong them.

V. The corporation is in debt, and, by compulsion in this act, declares certain persons shall become stockholders in the corporation now in debt and trouble.

VI. The bill declares, having inflicted it, expects to inflict damage upon other persons. For example: The bill says there is no legal remedy for adjusting and equalizing the benefits and damages acquired and sustained by persons aforesaid, or which may be sustained in the future progress of the work.

VII. The bill is a high-handed, unconstitutional invasion of the rights of person and property.

VIII. An effort was made to put the bill through its second reading by reading the title only.

IX. The bill was passed under a call of the previous question, and no one opposed to it was allowed to say a word against it.

X. Other reasons exist and would be given but for extending this protest to an unseemly length.

All of which is respectfully submitted by

JOSIAH TURNER.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 727, a bill to repeal chapter 159, laws of 1874–'75, entitled "An act in relation to changing gague of railroads;"

S. B. 472, a bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences;

S. B. 639, bill to change the county of Martin from the second to the first judicial district, &c.;

S. B. 611, bill in relation to the city of Raleigh;

S. B. 367, bill to enable the city of Wilmington to pay its present bonded indebtedness and to provide for its bonds maturing in the years 1879–'80;

S. R. 480, resolution in regard to the tax on State banks; and asking concurrence in the same, and they are referred as follows:

S. B. 727 to the committee on Internal Improvements;

S. B. 367 and S. B. 611 to the committee on Propositions and Grievances;

S. B. 639 to the Judiciary Committee;

S. B. 472 to the committee on Agriculture; and

S. R. 480 resolution in regard to the tax on State banks, to the committee on Finance.

Also announcing the concurrence of that body in the engrossed amendments to

S. B. 161, H. B. 647, a bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad; also in engrossed House amendments to

S. B. 358, H. B. 747, bill to revise and amend the charter of the town of Winston; and have ordered the same to be enrolled for ratification.

A MESSAGE FROM THE SENATE IS RECEIVED

transmitting

S. B. 768, a bill for the more speedy procurement of the right of way by the Winston, Salem and Mooresville Railroad, and for the better protection of the land-owners over whose lands the said railroad passes; the bill passes its first reading in this House and is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

informing the House that the Senate refuses to recede from its amendments to

H. B. 451, S. B. —, a bill to make the killing of live stock indictable, and respectfully request a committee of conference on the same.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills without engrossment:

S. B. 545, a bill to amend section 1, chapter 260, laws of 1876–'77, providing for the prohibition of the sale of liquors in certain localities;

S. B. 692, bill to incorporate the town of Kill Quick, in the county of Edgecombe;

S. B. 491, bill to repeal chapter 99, Battle's Revisal;

S. B. 768, bill to authorize the commissioners of Edgecombe to pay certain school claims;

S. B. 717, bill to provide for the summary investigation of county and municipal expenditures; and

S. B. 767, a bill for the relief of John Bran and Margaret Bran; they are read the first time and referred as follows:

S. B. 491 to the committee on Internal Improvements;

And the following are placed on the Calendar, to-wit:

S. B. 545, S. B. 692, S. B. 768, S. B. 717 and S. B. 767.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 232, a bill to incorporate the Wilmington, Charlotte and Western Railway Company.

It is read for the first time in this House and referred to the committee on Internal Improvements.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following resolutions and bills, viz:

S. R. 676, resolution instructing our Senators in Congress, and requesting our Representatives to use their influence to adjust the United States tariff on a strictly revenue basis;

S. R. 694, resolution in favor of the clerk to the committee on nominations of justices of the peace, and clerk to the tellers on the election of the same, and for other purposes.

They are read the first time in this House.

S. B. 637, bill to prohibit net fishing in Black creek, Wilson county; and

S. B. 617, bill to amend the charter of the town of Salisbury.

They are read the first time and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE,

informing the House that they have passed Senate amendments to

H. B. 823, S. B. 710, bill for the relief of John H. Cox, sheriff of Perquimans county, and transmitting the same.

They are concurred in by the House, and the bill as amended is ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 545, an act to amend section 1, chapter 260, laws of 1876–'77, prohibiting the sale of liquor in certain localities; and it is placed on the Calendar.

By consent,

Mr. Moore introduces a bill concerning the taking of fish in the waters of Trantam creek and Flat swamp, in the counties of Martin and Pitt; and

By Mr. Bernard,

An act to prohibit the fishing with nets in Grindall creek, Pitt county; and they are placed on the Calendar.

THE CALENDAR

is taken up.

S. B. 560, a bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said list, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bernard, Berry, Blocker, Buchan, Burroughs, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Coffield, Colwell, Davis of Catawba, Davis of

Haywood, Davis of Madison, Deans, English, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Horton, Johnston, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Mebane, Melson, McLean, Oliver, Osborne, Paxton, Powers, Rawley, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Venable, Wheeler, Woodhouse, York, and Young—61.

Nays—Messrs. Bateman, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bryson, Christmas, Dimsdale, Dixon, Ewing, Foard, Hines, Hobbs, Holt, Huffstetler, Lowry, Newell, Norment, Orchard, Reid of McDowell, Reynolds, Scott, White, and Wimberly—24.

THE SPECIAL ORDER,

H. B. 928, a bill to amend title 4, chapter 1, section 16, is announced, and put on its several readings and passes, and is sent to the Senate without engrossment.

THE SECOND SPECIAL ORDER,

S. B. 763, a bill to consolidate the towns of Salem and Winston, is announced and is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Click, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Ewing Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Henderson, Hewett, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lindsay, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake,

Ritchey, Smith, Taylor, Turner, Wheeler, White, Wimberly, Woodhouse, Wynne, and Young—79.

Nays—None.

On motion of Mr. Lowry, the bill on its third reading is made the special order for to-morrow at half-past ten A. M.

THE UNFINISHED BUSINESS,

being

H. B. 848, a bill to amend and consolidate the public school laws, is taken up and the bill put on its third readings and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Clarke, Click, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Ewing, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leach, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McLean, Newell, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Venable, Waddell, Wheeler, Wimberly, Woodhouse, York, and Young—90.

Nays—None.

S. B. 441, a bill to authorize the town of Asheville in Buncombe county, to levy taxes for the support of graded schools, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Bar-

ringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Ewing, Foard, Forbes, Foster, Foy, Gatling, Goldston, Harrell, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnston, Lamb, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Ritchey, Scott, Smith, Taylor, Venable, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—84.

S. B. 631, a bill to authorize the commissioners of Harnett county to levy a special tax and for other purposes, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Davis of Haywood, Deans, Dimsdale, Dixon, Dunn, English, Ewing, Foard, Forbes, Foster, Foy, Goldston, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Melson, Miller, Moore, McLean, Newell, Norment, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Venable, Wheeler, White, Wimberly, Woodhouse, York, and Young—83.

Nays—None.

S. B. 517, a bill to levy a special tax for the county of

Perquimans, is put on its second reading and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bird, Bizzell, Blaisdell, Blalock, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Lewis, Lockhart, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Norment, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Venable, Wheeler, White, Woodhouse, York, and Young—90.

Nays—None.

S. B. 365, a bill to re-convey a house and lot heretofore sold for taxes, is put on its several readings and passes, and is ordered to be enrolled for ratification.

H. B. 592, a bill to incorporate the Wilmington, Wrightsville and Onslow Railroad, passes its several readings and is sent to the Senate without engrossment.

S. B. 728, a bill to amend the charter of the Bingham School, passes its several readings and is ordered to be enrolled for ratification.

S. B. 69, a bill relating to certain salaries and fees, is taken up, and,

On motion of Mr. Foard, is considered by sections; this bill being on its third reading.

The first, second and third sections are adopted.

Mr. Lockhart moves to strike out section 4.

THE SPECIAL ORDER,

S. B. 389, a bill to provide for the completion of the Western Asylum for the insane, is announced; and,

On motion of Mr. Foard, consideration is postponed until the matter before the House is disposed of.

The consideration of section 4 is resumed; and on the adoption of the amendment of Mr. Lockhart,

Mr. Foard demands the ayes and nays.

The call is sustained, and the motion to strike out fails by the following vote:

Ayes—Messrs. Anderson, Ardrey, Armstrong, Blaisdell, Bonner, Bost, Brown of Mecklenburg, Burroughs, Carter of Buncombe, Carter of Warren, Carson, Cary, Clarke, Cobb, Cooke, Council, Dixon, Ellison, Etheridge, Forbes, Gatling, Goldston, Huffstetler, Jones, Johnson, Lockhart, Meares, Norment, Orchard, Reynolds, Richardson of Columbus, White, Wimberly, Woodhouse, and Young—35.

Nays—Messrs. Angier, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bryson, Buchan, Carter of Yancey, Carroll, Chadwick, Christmas, Click, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Deans, Dimsdale, Dunn, English, Ewing, Foard, Foster, Foy, Fulcher, Grant, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Melson, Miller, McLean, Newell, Oliver, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Waddell, Wheeler, Wynne, and York—69.

Mr. Carter of Buncombe, offers the following amendment to the same section:

Amend section 4 by striking out "$2,500" and inserting "$2,300." Strike out also the words "in full compensation

for all judicial duties which are or may hereafter be assigned to them by the General Assembly."

Mr. English offers the following as an amendment to the amendment:

Strike out "$2,300" and insert "$2,000."

On the adoption of this section, Mr. Richardson of Columbus demands the previous question.

The call is sustained, and the main question is ordered.

The question is upon the amendment of Mr. English, which is rejected.

The question is then on the amendment of Mr. Carter, which is rejected on a division, ayes 30, nays 51; and the question is then put on the section, and it is adopted.

Section 5 is adopted.

To section 6 Mr. Clarke offers the following amendment: Amend by striking out all in regard to the Secretary of State and insert the following:

"The Secretary of State shall receive a salary of two thousand dollars, and one thousand dollars for clerical assistance, which amount shall be paid quarterly by the Treasurer. All fees received by the said officer shall be paid into the Treasury quarterly."

The amendment is adopted, and the section as amended is adopted.

Mr. Foard offers the following amendment to section 7:

Strike out all of section 7 down to chapter 191, &c., and insert "the Auditor shall receive a salary of twelve hundred and fifty dollars, and shall be allowed a clerk, whose salary shall be five hundred dollars per annum."

On the adoption of this amendment Mr. Foard demands the ayes and nays, and the call is not sustained.

Upon the adoption of the amendment the main question is ordered on the demand of Mr. Richardson of Columbus.

The question is put on the amendment of Mr. Foard, and it is rejected; and the section is then adopted.

Sections 8, 9 and 10 are adopted.

Mr. Jones moves to postpone the further consideration of the bill, to come up to-night as unfinished business. The motion fails; and sections 11, 12 and 13 are adopted.

Mr. Clarke offers the following amendment to section 14:

Amend by striking out "four hundred" and inserting "five hundred dollars," and the amendment is rejected.

Mr. Jones moves to strike out section 15, and on his call the previous question is ordered, and on the adoption of the admendment demands the ayes and nays. The call is sustained and the amendment is adopted by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Blaisdell, Blalock, Bonner, Bost, Bryson, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Clarke, Cobb, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Ellison, Etheridge, Foy, Gatling, Goldston, Grant, Harrell, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lockhart, Melson, Moore, McGehee, Norment, Orchard, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Venable, Wheeler, Woodhouse, and York—58.

Nays—Messrs. Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blocker, Bruce, Buchan, Christmas, Coffield, Colwell, Deans, Dimsdale, Dixon, Dunn, Ewing, Ferrell, Foard, Forbes, Foster, Fulcher, Harrison, Henderson, Hines, Hobbs, Holt, Leach, Lindsay, Lowry, Lutterloh,

Mebane, Miller, McLean, Newell, Osborne, Powers, White, Wimberly, Wynne, and Young—43.

To section 16 Mr. Cary offers the following amendment:

"Strike out $600 and insert $1,200 for employees,"

which is rejected.

Mr. Foard offers the following as a substitute for section 15, stricken out, and it is adopted:

"That the clerk of the supreme court shall receive the fees of his office to an amount not to exceed two thousand dollars, all fees in excess to be covered into the Treasury of the State by him. He shall account quarterly to the Treasurer for all fees received by him, as required of the Secretary of State."

Section 17 is adopted.

Mr. Council gives notice of an amendment.

On the passage of the bill on its third reading, on motion of Mr. Richardson of Columbus, the previous question is ordered.

The question is on the following amendment of Mr. Council:

"In section 2 strike out the Deaf, Dumb and Blind Asylum,"

which is adopted on a division by ayes 45, nays 31.

And the bill then passes its third reading and is ordered to be sent to the Senate with engrossed amendments.

LEAVES OF ABSENCE

are granted to

Mr. Carter of Warren, until Wednesday; to

Mr. Dimsdale until Monday; to
Mr. Grant until Monday; and indefinitely to
Mr. Blalock, on account of important private business.

By consent,

Mr. Moore introduces a bill concerning taking fish in the waters of Tranter's Creek; and

Mr. Bernard introduces a bill to prohibit fishing with nets in Grindall Creek; both of which are placed upon the Calendar.

A MESSAGE IS RECEIVED FROM THE GOVERNOR,

covering a communication from Dr. Eugene Grissom, Superintendent of the Asylum for the Insane; which on motion, are referred to the committee on the Insane.

THE SPECIAL ORDER FOR THE HOUR,

S. B. 389, a bill to provide for the completion of the Western Asylum for the Insane, is put on its readings, and passes its second reading.

Mr. Foard moves to reconsider the vote by which S. B. 69 passed its third reading.

Mr. Cobb moves to lay that motion on the table; and the motion to table prevails on a division by a vote of ayes 33, nays 28; and on motion of Mr. English, the House adjourns until this evening at half-past seven o'clock.

Evening Session.

House of Representatives,
Friday, March 7th, 1879.

The House meets at half-past seven o'clock, Mr. Speaker Moring in the chair.

THE FIRST SPECIAL ORDER,

being

H. B. 520, a bill to be entitled "An act to create a municipal board of record for each county in the State."

The question is upon the amendments offered by the committee.

After discussion,

Mr. Jones moves to refer the bill to the committee on Corporations, and, on a division, the motion does not prevail—ayes 31, nays 36.

The question then recurs on the amendments proposed by the committee, and they are adopted.

Mr. Jones moves to lay the bill on the table, and, on a division the motion prevails—ayes 45, nays 43.

H. R. 216, a resolution limiting the time of debate, is taken up.

Mr. Clarke moves to amend by striking out "five" and inserting "ten;" rejected; and the resolution is then adopted.

THE SECOND SPECIAL ORDER,

being

Senate substitute for S. B. 566, a bill to be entitled "An act to amend an act to establish a department of agriculture, immigration and statistics, and for the encouragement of sheep husbandry," ratified March 12th, 1877, is taken up.

Mr. Turner offers the following amendment:

"SECTION —. Section 16 of the act creating the department of agriculture is hereby repealed."

Upon the passage of the bill,

Mr. Ardrey demands the previous question, and the main question is ordered.

Upon the adoption of the amendment of Mr. Turner the ayes and nays are demanded; the call is not sustained, and the amendment is lost.

The question is on the passage of the bill on its second reading; it passes, and without objection goes to its third reading, passes, and is ordered to be enrolled for ratification.

THIRD SPECIAL ORDER,

being

S. B. 567, H. B. 797, a bill to amend an act entitled "An act to prevent obstruction to navigation in the waters of Newport rivers, Carteret county," &c., is taken up, passes its second and third readings and is ordered to be enrolled for ratification.

Mr. Speaker announces the following gentlemen as the House branch on S. B. 451, viz: Messrs. Cobb, Orchard, Davis of Catawba, English and Oliver.

H. B. 849, an act to establish normal schools at Trinity College, Davidson College, and Wake Forest College, is put on its passage.

Mr. English introduces the following amendment: "insert the University," and amendment prevails.

Mr. Norment offers the following amendment, which is adopted: "amend by inserting Ashpole Institute, Robeson county."

The question is on the bill on its second reading, and the bill passes.

The bill is then put on its third and final reading.

Mr. Jones moves to strike out Ashpole Institute, and on a division, the motion is lost, ayes 32, nays 45.

Mr. Ferrell sends forward the following amendment, viz: "Strike out Wake Forest College."

Mr. Jones moves to lay the whole matter on the table, and the motion does not prevail.

The question is upon the amendment of Mr. Ferrell, and it is rejected.

Mr. Cooke moves to reconsider the vote by which the motion of Mr. Jones failed to pass.

Upon the passage of the bill, Mr. Bonner demands the previous question, and the call is sustained.

The question now is on the motion of Mr. Cooke, and on a division the motion prevails, ayes 42, nays 39.

Mr. Norment moves to amend by striking out "Ashpole Institute, Robeson county," and the amendment is adopted, upon a division.

The question is upon the bill on its final reading; it passes and is ordered to be transmitted to the Senate for concurrence.

H. B. 882, a bill to be entitled an act amendatory of and supplemental to an act passed at the present session of the General Assembly, and entitled an act to prevent live stock from running at large in Rowan, Davie and other counties, passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bingham, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Coffield, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dunn, Etheridge, Ewing, Foard, Forbes, Foster, Goldston, Grant, Harrell, Harrison, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McGehee, McLean, Norment, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, Woodhouse, York, and Young—81.

Nays—Messrs. Battle, Bird, Bonner, Christmas, Clarke,

Dimsdale, Ellison, Ferrell, Foy, Newell, Pettipher, Reynolds, Turner, Venable, White, Wimberly, and Wynne—18.

By consent,

Mr. Anderson introduces the following bill, which is placed on the Calendar:

A bill to be entitled "An act to appoint a commissioner of immigration;" also

By Mr. York,

A bill to pay off the indebtedness of the Insane Asylum, both of which is placed on the Calendar.

Mr. Blaisdell, from the committee on the Judiciary, reports favorably on

H. B. 396, a bill to restore persons convicted of felony to the rights of citizenship, &c.

S. R. 694, a resolution in favor of clerk to the committee on Nominations of Justices of the Peace, &c., passes its second reading.

Mr. Lindsay moves to refer to the committee on Finance and the motion is lost.

Upon the passage of the resolution on its third reading,

Mr. Bingham demands the ayes and nays; the call is not sustained, and the resolution then passes its third reading and is ordered to be enrolled for ratification.

The committee on Enrolled Bills reports as correctly enrolled:

An act to provide that all conveyances of real estate shall be construed to be in fee, unless the contrary shall appear from the language of the instrument;

An act to aid in the extension of the Atlantic, Tennessee and Ohio Railroad;

An act to enlarge and extend the corporate limits of the town of Monroe, in the county of Union, and for other purposes;

An act supplemental to an act authorizing the working of convicts on the Ore Knob and Mt. Airy Railroad, Chester and Lenoir, and Caldwell and Watauga Railroads, &c.;

An act to authorize the employment of convict labor on the Wilson and Tar River Railroad;

An act to regulate the practice of dentistry and to protect the people against quackery, &c.;

An act to incorporate the Piedmont Mining and Banking Company of North Carolina;

An act to procure the better drainage of the bottom lands on Silver creek in Burke county;

An act to amend chapter 154, laws of 1876–'77;

An act to provide for purchasing land sold under execution by the several boards of county commissioners of the State;

An act to prescribe the mode of selling tar;

An act to abolish private seals and to prescribe a short form of a deed and for other purposes;

An act to canal Angola Bay in the counties of Duplin and Pender;

An act to amend section 3, chapter 61, laws of 1871–'72;

An act to prevent live stock from running at large in Rowan, Davie and other counties;

H. B. 413, a bill to amend chapter 260, laws of 1876–'77, is put on its several readings and passes and is sent to the Senate without engrossment.

H. B. 233, a bill for the relief of the blind is taken up on its third reading.

Mr. Turner moves to strike out "sixty" wherever it occurs in the bill and insert "one hundred."

The amendment is rejected, and the bill passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Lockhart,

S. B. 633, H. B. 933, a bill to prohibit the sale of liquors in certain localities, is taken up.

The substitute offered by the committee on Propositions and Grievances is adopted.

Amendments are offered by representatives from many

counties, adding to the purposes of the bill, or striking out provisions inserted, Mr. Lockhart, the chairman of the committee, accepting or rejecting, his action being sustained by the House.

Mr. York moves to strike out Trap Hill, Wilkes county, the insertion of that place having been made by a member from another county.

The motion prevails.

On the motion to strike out Gardner's Church, Warren county, Mr. Christmas calls the ayes and nays. The call is not sustained, and the motion is adopted.

The question recurs on the passage of the bill on its second reading.

Mr. Turner offers an amendment, which is rejected, and the bill passes its second reading.

Mr. Norment moves to adjourn, which motion is lost.

Under a suspension of the rules,

S. B. 633, H. B. 933, is taken up on its third reading.

Mr. Ewing moves to amend by inserting:

"Within one mile of Helson and Pee Dee churches, Richmond county,"

which is accepted.

The bill then passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Moore,

H. B. 353, a bill to aid in the completion of the Seaboard and Raleigh Railroad by convict labor, is taken up and made the special order for to-morrow morning at half-past ten o'clock.

H. B. 766, a bill to authorize the commissioners of Lincoln county to levy a special tax, is taken up on its third reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bernard, Berry, Bizzell Blais-

dell, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Christmas, Clarke, Click, Cobb, Coffield, Colwell, Council, Davis of Haywood, Davis of Madison, Dimsdale, Dixon, Dunn, Etheridge, Ewing, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Meares, Mebane, Melson, Moore, McGehee, McLean, Orchard, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Wheeler, White, Woodhouse, York, and Young—77.

Nays—Messrs. Ferrell, Newell, Norment, Pettipher, Turner, and Wimberly—6.

On motion the House adjourns until to-morrow morning at ten o'clock.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
SATURDAY, March 8th, 1879.

The House meets at 10 A. M., Mr. Richardson of Columbus in the chair.

The reading of the Journal of yesterday is dispensed with, and it stands as approved.

REPORTS OF COMMITTEES.

Mr. Holt, from the committee on Finance, reports favorably on

H. B. 862, S. B. 471, a bill to authorize the commissioners of the town of Goldsboro to issue bonds, &c.

Mr. Cooke, from the committee on the Judiciary, reports favorably on

S. B. 639, H. B. 947, a bill to change the county of Martin from the second to the first judicial district, &c.

Mr. Davis of Catawba, from the committee on Private Bills, reports favorably on

H. B. 810, a bill to incorporate the champion compress company.

Mr. Lockhart, from the committee on Propositions and Grievances, reports favorably on

S. B. 367, H. B. 948, a bill to enable the city of Wilmington to pay its present bonded indebtedness, &c.; on

S. B. 611, H. B. 949, a bill in relation to the city of Raleigh; on

H. B. 934, a bill to submit the question of the sale of liquor to the voters of the town of Reidsville, Rockingham county; on

H. B. 876, a bill to incorporate the Fishing Creek and Tar River Improvement Company, recommending a reference to the committee on Corporations.

Mr. English, from the committee on Education, reports favorably on

S. B. 674, H. B. 914, a bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 848, a bill to revise and consolidate the public school laws;

H. B. 248, a bill to authorize the county commissioners of Richmond county to levy a special tax;

H. B. 794, a bill to incorporate the North Carolina and Virginia Christian Conference;

H. B. 584, a bill to amend chapter 87, sections 34, 35, 36 and 37 of Battle's Revisal;

H. B. 164, a bill to amend the Constitution of North Carolina in relation to the support of deaf mutes, the blind and insane of the State.

The committee on Enrolled Bills reports as correctly enrolled:

An act to amend chapter 87, private laws of 1870–'71, Rock Spring camp ground;

An act to authorize the commissioners of Currituck county to exchange the stock of said county in the Albermarle and Chesapeake Canal Company for bonds of the county;

An act to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity;

An act for the free passage of fish up Neuse river and Swift and Middle creeks in Johnston county;

An act to incorporate the town of Matthews in the county of Mecklenburg;

An act to amend the charter of the "Flat Swamp, Lock's Creek and Evans' Creek Canal Company of Cumberland county;"

An act to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists;

An act to amend the charter of the Bingham School;

An act to amend chapter 285, laws of 1876–'77, concerning graded schools;

An act to amend section 7, chapter 75, laws of 1825, being an act for the government of Wadesboro, in Anson county;

An act supplemental to an act farming out convicts in this State;

An act to abolish "The Insane Asylum of North Carolina," and to incorporate "The North Carolina Insane Asylum;"

An act to make slander of women indictable;

An act to amend election law;

An act to establish the Eastern boundary line between the counties of Brunswick and Columbus;

An act to amend chapter 202, laws of 1868–'69;

An act to authorize the commissioners of Macon county to levy a special tax.

S. B. 194, H. B. 574, a bill to provide for the registration of certain deeds, &c., is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Reynolds, it was agreed that when the House adjourns it adjourn to meet this evening at half past 7 o'clock.

H. B. 491, a bill to authorize the commissioners of Hertford county to levy a special tax, is taken up on its third reading and passes by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Atkinson, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Buchan, Cale, Carroll, Carson, Chadwick, Christmas, Click, Coffield, Colwell, Cooke, Davis of Catawba, Deans, Dunn, Ellison, English, Forbes, Foster, Foy, Fulcher, Goldston, Harrison, Hewett, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McGehee, McLean, Orchard, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Wheeler, White, Wimberly, Woodhouse, and York—75.

Nays—Messrs. Newell, Osborne, Turner, and Waddell—4.

H. R. 217, S. R. 694, a resolution in favor of the clerk to the committee on the appointment of Justices of the Peace, is taken up and amended, passes its several readings and the amendment ordered to be engrossed and sent to the Senate for concurrence.

LEAVE OF ABSENCE

is granted to the Principal Clerk of the House until Monday morning.

S. B. 512, H. B. 872, a bill to provide for the Institution for the Deaf and Dumb and the Blind, for the years 1879–'80, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 430, H. B. 871, a bill in regard to public roads and highways, is taken up and passes its third reading by the following vote, and is sent to the Senate without engrossment for concurrence in the amendments:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstreng, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Coffield, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Foard, Foster, Fulcher, Gatling, Goldston, Harrison, Henderson, Hewett, Hines, Holt, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Miller, Moore, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Roberson, Scott, Smith, Wheeler, White, Wimberly, Woodhouse, and York—82.

Nays—Messrs. Foy, Hobbs, and Waddell—3.

S. B. 167, H. B. 799, a bill to extend the charters of certain banks, is taken up.

Mr. Angier moves to amend by inserting the name of Eugene Morehead as one of the corporators of the Durham bank.

The amendment is adopted and the bill passes its several

readings and is sent to the Senate without engrossment for concurrence in the amendment.

S. B. 29, H. B. 220, a bill to prevent the stealing of dead bodies, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

INTRODUCTION OF RESOLUTIONS.

By Mr. Jones,

A resolution in favor of the Secretary of the Senate and Principal Clerk of the House, which is placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and disposed of as follows:

By Mr. Cooke,

A bill to change the time of holding the superior courts of Warren county, and to allow two weeks therefor;

By Mr. York,

A bill to protect the fish interest of North Carolina; and

By Mr. Clarke of Craven,

A bill for the benefit of the boards of education of the State, all of which are placed on the Calendar;

By Mr. Amis,

A bill to amend an act passed at this session of the General Assembly to amend an act to incorporate the Oxford and Henderson Railroad Company, which is referred to the committee on Propositions and Grievances.

A MESSAGE FROM THE SENATE

is received, transmitting

S. R. 338, a resolution in favor of W. W. Rollins; and it is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 540, a bill to amend chapter 88, of the laws of 1876–'77;

S. B. 168, a bill explanatory of chapter 57, of Battle's Revisal;

S. B. 635, a bill concerning the official bond of the sheriff of Dare; and

S. B. 525, a bill to expedite the trial of criminal actions upon their merits.

They are all placed upon the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, which are read the first time in this House and placed on the Calendar:

S. B. 506, bill to incorporate the Anglo-American Colonization and Improvement Company in the State of North Carolina;

S. B. 612, a bill to adjust and renew a portion of the State debt; which is made the special order for one o'clock March 8th; and

S. B. 715, a bill to aid in the completion of the Asheville and Spartanburg Railroad, which is made the special order for 8 o'clock P. M., March 8th.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, which are read the first time in this House and placed upon the Calendar, viz:

S. B. 511, a bill for the internal improvement of Sampson county;

S. B. 505, a bill for the better protection of fish in the waters of Brown Sound, in Onslow county; and

S. B. 158, a bill for the protection of birds.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 459, a resolution providing for aid for the Orphan Asylum, at Oxford, North Carolina; and it is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 772, a bill to authorize the Directors of the Western North Carolina Railroad to expend a portion of the appropriations to said Company for operating expenses; and the bill is placed on the Calendar and made the special order for March 8th at 2 P. M.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. B. 114, S. B. 530, a bill to prevent the enticing of seamen from vessels; and

H. B. 350, S. B. 535, a bill to relieve farmers and others from paying special tax.

The amendments of the Senate are concurred in, and the bills as amended are ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate substitute for

H. B. 930, S. B. 790, an act for the support of the Penitentiary and convicts for the years 1879 and 1880, asking the concurrence of the House in the same; and it is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 797, H. B. 972, a bill to be entitled an act to correct an error in the act to compromise the State debt, and the bill is placed on the Calendar, passes its several readings and is ordered to be enrolled for ratification.

S. B. 763, H. B. 929, a bill to consolidate the towns of Salem and Winston, is taken up on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Cale, Carter of Warren, Carroll, Cary, Chadwick, Clarke, Click, Cobb, Coffield, Colwell, Cooke, Davis of Haywood, Davis of Madison, Deans, Dimsdale, Dixon, Dunn, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrison, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Waddell, Wheeler, White, Wimberly, Woodhouse, York, and Young—93.

Nays—None.

THE SPECIAL ORDER,

H. B. 353, a bill to aid in the completion of the Seaboard and Raleigh Railroad by convict labor, is taken up.

Mr. Moore moves to amend by striking out section 2 and inserting the following in its stead:

"That not over fifty of said convicts shall be employed on that portion of the road between Williamston and Tarboro, the balance to be employed on that portion between Raleigh and Tarboro."

The amendment is adopted.

Mr. Foard moves to amend by providing that nothing in the bill shall be construed as repealing any act heretofore passed, furnishing convicts to other railroads in the State.

This amendment is also adopted, and the bill passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 957, a bill to change the times of holding the superior courts in Warren county and to allow two weeks, is taken from the Calendar, on motion of Mr. Cooke, put on its several readings, passes, and is sent to the Senate, without engrossment, for concurrence.

S. B. 678, H. B. 917, a bill to charter the town of Quhele, formerly Tilden, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Council, Davis of Catawba, Davis of Haywood, Deans, Dixon, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Henderson, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—93.

Nays—None.

H. B. 336, a bill to incorporate Rising Hope Lodge, No. 1800, G. U. O. F., is taken up and passes its several readings, and is sent to the Senate without engrossment for concurrence.

S. B. 363, H. B. 807, a bill to amend the charter of the Charlotte and Taylorsville Railroad Company, is taken up.

Mr. Turner offers an amendment, which is accepted, and the bill passes its several readings, and is sent to the Senate for concurrence in the amendment.

S. B. 517, H. B. 868, a bill to levy a special tax in Perquimans county, is taken up on its third reading and passes by the following vote and ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenbug, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Click, Coffield, Colwell, Council, Davis of Madison, Dixon, Dunn, Ellison, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Henderson, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Leach, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Melson, Miller, Moore, McLean, Newell, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, White, Woodhouse, Wynne, York, and Young—84.

Nay—Mr. Waddell.

S. B. 687, H. B. 898, a bill to amend the charter of the town of Pittsboro, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Berry, Bird, Bizzell, Blocker, Brown of Mecklenburg, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Christmas, Clarke, Click, Cobb, Cof-

field, Colwell, Council, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Ewing, Ferrell, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Henderson, Hewett, Hines, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, York, and Young—79.

Nays—None.

H. R. 19, S. R. 185, a resolution in reference to a conference with the authorities of South Carolina and Tennessee, &c., is taken up.

The substitute passes its several readings and is ordered to be enrolled for ratification.

S. B. 389, H. B. 924, a bill to provide for the completion of the Western Asylum for the Insane, is taken up and passes its third reading and is ordered to be enrolled for ratification.

H. B. 597, a bill to provide a fund for the payment of jurors in Edgecombe county, is taken up.

After the insertion of Jones, Craven, Pitt, Bladen, Caswell, Pasquotank and Warren counties, the bill is, on motion of Mr. Lindsay, referred to the Committee on Finance.

H. B. 527, a bill amending the act incorporating Kenansville, Duplin county, is taken up and passes its several readings and is sent to the Senate for concurrence without engrossment.

S. B. 228, H. B. 863, a bill to incorporate Oak City Lodge of Knights of Honor, No. 419, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 308, H. B. 572, a bill to enable the County Commissioners of Pasquotank county to ascertain the county's indebtedness, is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. B. 786, a bill for the relief of jurors in Buncombe county, is taken up, passes its second and third readings and is sent to the Senate without engrossment.

H. B. 889, a bill to empower the Western North Carolina Railroad Company to make terms with the Chester and Lenoir Narrow Gauge Railroad Company, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 422, a bill to establish the Board of Newbern Harbor Commissioners, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

H B. 591, a bill to prevent the sale of railroads and corporation bonds at reduced rates, &c., is made the special order for one o'clock to-day.

H. R. 215, a resolution to promote immigration and develop the lands of the State, is taken up.

Mr. Turner moves to lay the resolution on the table, and the motion does not prevail.

Mr. Reid of Macon, offers the following amendment which is adopted, viz:

Amend by saying: "The cost of preparation and publication shall be paid for by the agricultural department."

The resolution then passes its second and third readings and is engrossed and sent to the Senate for concurrence.

S. B. 635, H. B. 961, a bill to be entitled an act concerning the official bond of the sheriff of Dare, passes its separate readings, and is ordered to be enrolled for ratification.

H. B. 236, an act to amend sections two, four and five of private laws of 1876–'77, of North Carolina, is put on its second reading.

The question is on the substitute offered by the committee which is adopted, and the bill then passes its several

readings and is ordered to be engrossed and sent to the Senate.

H. B. 792, a bill to amend section 156, chapter 32, Battle's Revisal, passes its second and third readings and is sent to the Senate without engrossment.

H. B. 460, a bill for the benefit of jurors and witnesses in cases of homicide in this State, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 462, a bill to prohibit the sale or barter of wheat, rye, oats or corn for spirituous liquors outside of the corporate limits of any town in the counties of Iredell, Rowan or Cabarrus after sunset and before sunrise, passes its several readings and is engrossed and sent to the Senate for concurrence.

H. B. 810, a bill to incorporate the Champion Compress Company, passes its second and third readings, and, on motion, is ordered to be sent to the Senate without engrossment.

H. B. 315, a bill to be entitled an act in regard to additional disqualification of jurors, is put on its passage.

The question is on the amendment of the committee, which is adopted, and the bill so amended passes its second and third readings and is ordered to be engrossed and sent to the Senate.

H. B. 227, a bill to amend the Constitution of North Carolina, Article II, section 3, is on motion of Mr. Cooke, laid on the table.

H. B. 253, a bill to prevent the selling or giving away of spirituous liquors at political speakings, is taken up.

The amendment of the committee is adopted, and the bill then passes its second and third readings, and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 261, a bill to remove obstructions to the passage of fish and provide fishways, is put on its passage.

Mr. Berry moves to amend by extending it to Denton's

Mill, in Burke county, which is adopted, and the bill so amended passes its several readings and is ordered to be engrossed and sent to the Senate.

S. B. 612, H. B. 964, a bill to adjust and renew a portion of the State debt, is taken up.

Mr. McLean offers an amendment to strike out "one," in section 11, and insert "one-half of one," which is adopted.

Mr. Turner sends forward the following amendment, in the nature of a substitute, which does not prevail, viz:

A BILL TO BE ENTITLED AN ACT TO ADJUST AND RENEW A PORTION OF THE STATE DEBT.

SECTION 1. *The General Assembly of North Carolina do enact:* That in order to renew and adjust a portion of the State debt incurred to aid in the construction of the North Carolina Railroad, and obtain an extension of time of paying the same, the Public Treasurer is hereby authorized, empowered and directed to issue new bonds, and to exchange with each and every person delivering to him one or more of the said old bonds, the new bonds to be payable forty years from the first of April, 1880, bearing interest from the first day of April, 1880, at six per cent. per annum, payable semi-annually, on the first day of April and October of each and every year, until the principal shall be due.

SEC. 2. The said bonds shall be coupon bonds of the denomination of fifty, one hundred, five hundred, and one thousand dollars each, and shall be signed by the Governor and Public Treasurer, and shall be sealed with the great seal of the State. The coupons thereon may be signed by the Treasurer alone or have a *fac-simile* of his signature printed, engraved or lithographed thereon. And the said bonds and coupons shall in all other respects be in such form as the Treasurer may direct; and shall express on their face that they are issued in renewal of said bonds.

SEC. 3. The Public Treasurer, before delivering any of

said bonds under the provisions of this act, shall record in a well-bound book, an accurate account and descriptive list of the said bonds, which shall embrace the date, amount and number thereof, and the name of the person to whom issued.

SEC. 4. It shall be the duty of the Treasurer after having exchanged the bonds, to burn the old bonds in the presence of the Auditor and Secretary of State.

SEC. 5. The new bonds shall in all respects stand in the place of, and be entitled to, the same securities as are the old bonds and coupons aforesaid, and shall have the same lien on the stock of the State in the said railroad company which the said old bonds and coupons now have; and the Public Treasurer shall apply the dividends received by the State on its stock in said company to the payment of the coupons on said new bonds.

SEC. 6. This act shall be in force from and after its ratification.

And the bill then passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Berry, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Chadwick, Clarke, Cobb, Colwell, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dunn, Ellison, English, Ewing, Foard, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Harrison, Hewett, Hines, Hobbs, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lindsay, Lowry, Meares, Miller, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Smith, Taylor, Venable, White, Woodhouse, and Young—78.

Nays—Messrs. Bingham, Christmas, Henderson, Mebane, Powers, Richardson of Wake, Scott, and Turner—8.

S. B. 772, H. B. 962, a bill to authorize the directors of the Western North Carolina Railroad to expend a portion of the appropriations to said company for operating expenses, passes its second and third readings and is ordered to be enrolled for ratification.

Mr. Davis of Catawba, moves to reconsider the vote by which the bill passed its final reading and to lay that motion on the table, and the motion to table prevails.

On motion of Mr. Brown of Mecklenburg,

S. B. 612, H. B. 964, is made special order for Monday next at 10:15 A. M.

S. B. 797, H. B. 972, a bill to correct an error in the act to compromise, commute and settle the State debt, is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. B. 844, a bill to protect fish in certain streams in the county of Duplin, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

THE SECOND SPECIAL ORDER.

H. B. 591, a bill to prevent the sale of railroad and other corporation bonds at reduced rates, &c., is taken up and passes its second reading.

Under a suspension of the rules the bill comes up on its third reading.

On motion of Mr. Carter of Buncombe, the bill is laid on the table.

H. B. 937, a bill to provide trial by jury in certain cases, is taken up and passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 754, a bill to facilitate the navigation of the streams of the State, is taken up and passes its several readings and

is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 836, a bill to incorporate Furniture Manufacturing Company, is taken up and passes its several readings and is sent to the Senate without engrossment for concurrence.

H. B. 907, a bill to amend chapter 122 laws of 1876-'77, is taken up and passes its several readings and is sent to the Senate without engrossment for concurrence.

H. B. 837, a bill to incorporate the village of Big Lick, Stanly county, is taken up and passes its several readings and is sent to the Senate without engrossment for concurrence.

S. B. 545, H. B. 952, a bill to amend section 1, chapter 260, laws of 1876-'77, prohibiting the sale of liquor in certain localities, is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. S. 273, a bill to serve notices to justices of the peace, is taken up and passes its several readings and is sent to the Senate without engrossment for concurrence.

S. B. 423, H. B. 803, a bill to incorporate the Grand Lodge of Good Templars of North Carolina, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 240, H. B. 553, a bill concerning civil actions for the recovery of debts contracted for the purchase of land is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. B. 846, a bill to amend chapter 285, laws of 1876–'77, is taken up.

Mr. Lutterloh moves to strike out one-eighth and insert three-tenths.

The amendment is lost and the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Bateman, Battle, Bingham, Bird, Bizzell, Blaisdell, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan,

Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Chadwick, Christmas, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, English, Ewing, Forbes, Foster, Fulcher, Gatling, Harrell, Hobbs, Horton, Huffstetler, Johnson, Leatherwood, Lindsay, Lowry, Meares, Mebane, Miller, Moore, McLean, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, White, Wimberly, Woodhouse, and Young —65.

Nays—None.

On motion, the House adjourns until this evening at half-past 7 o'clock.

EVENING SESSION.

SATURDAY, March 8th, 1879.

The House meets this evening at half-past seven o'clock, Mr. Speaker Moring in the chair.

The Calendar is taken up, and

S. B. 43, H. B. 397, a bill to punish seduction of women is put on its passage.

Mr. Jones moves that the bill do lay on the table and the motion prevails.

S. B. 75, H. B. 905, a bill to amend section 343, chapter 17, Battle's Revisal, is put on its third reading, passes, and is ordered to be enrolled for ratification.

S. B. 674, H. B. 914, a bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties is taken up on its second reading and passes.

Mr. Richardson of Columbus, moves that the bill be made

the special order for Monday at 12 o'clock M., and it is so ordered by the House.

H. B. 337, a bill to be entitled an act to amend chapter 72, private laws of 1874–'75, passes its second and third readings and is ordered to be engrossed and sent to the Senate.

H. B. 638, a bill to incorporate Zion Wesley Institute, Cabarrus county, North Carolina, passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 639, a bill to incorporate Zion Hill Cemetery Company, Concord, N. C., passes its second and third readings and is ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Battle,

H. B. 597, a bill to provide a fund for jurors in Edgecombe county, is made the special order for Monday next, at 11½ o'clock.

H. B. 512, a bill to repeal chapter 143, laws of 1872–'73, and chapter 63, laws of 1874–'75, is put on its passage; the substitute of the committee is adopted and the bill so substituted passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

S. R. 192, H. R. 202, resolution to our Senators and members in Congress asking them to procure an appropriation to make Lumber river navigable, passes its second and third readings, and is ordered to be enrolled for ratification.

S. B. 524, H. B. 830, a bill to prohibit fishing in Coneto creek, Pitt county, passes its several readings and is ordered to be enrolled for ratification.

S. B. 431, H. B. 746, a bill to incorporate Aurora Lodge, No. 108, I. O. G. T. of Warrenton, N. C., passes its second and third readings and is ordered to be enrolled for ratification.

The hour for the

SPECIAL ORDER,

having arrived, it being

H. B. 963, S. B. 715, a bill to aid in the completion of the Asheville and Spartanburg Railroad, is taken up.

Mr. Richardson of Columbus, sends forward the following amendment, viz:

"Or to the counties of Robeson and Columbus."

Mr. Turner offers the following amendment to the amendment of Mr. Richardson:

Amend by adding: "*Provided*, It does not take away any convicts heretofore granted to any other work."

The amendment of Mr. Turner prevails.

The amendment of Mr. Richardson as amended is adopted and the bill put on its several readings, passes and is ordered to be enrolled for ratification.

H. B. 466, a bill to prescribe the rate of ferriage in Bladen county, is taken up.

The amendments offered by the committee are adopted, and the bill as amended passes its several readings and is ordered to be engrossed and transmitted to the Senate for concurrence.

Mr. Ellison asks the unanimous consent of the House to take up

H. R. 221, a resolution in regard to the Sunday-school teachers at the Penitentiary, and leave is granted.

The resolution passes its second reading on a division—ayes 50, nays 15.

Mr. Turner sends forward the following amendment, which is rejected, viz:

"Amend by adding that the fifty dollars be given to the Shaw Collegiate Institute, the St. Augustine Normal School and Johnston Graded School, all colored, of this city."

The bill then passes its third and final reading, and is ordered to be engrossed and sent to the Senate for concurrence.

H. R. 193, a resolution asking our Senators and Representatives in Congress to advocate the establishment of two universities in the State, under a suspension of the rules passes its several readings, and is ordered to be engrossed and sent to the Senate.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolution to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 849, a bill to establish normal schools in this State;

H. B. 233, a bill for the relief of the blind;

H. R. 193, a resolution asking our Senators and Representatives in Congress to advocate the establishment of two universities in the South.

S. B. 339, H. B. 922, a bill to repeal chapter 148, private laws of 1868–'69, with reference to the town of Ridgeway, passes its second and third readings and is ordered to be enrolled for ratification.

Mr. Carter of Buncombe, from the committee of Conference on

H. B. 43, S. B. 386, a bill to incorporate the bank of Asheville, by consent, sends forward a report.

The Senate amendments are concurred in, and a message is sent to the Senate informing that body of the action of the House, and the bill is ordered to be enrolled for ratification.

S. B. 677, H. B. 901, a bill to aid in the construction of the Statesville Railroad, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 518, H. B. 896, a bill to charter the Thomasville and Albemarle Railroad Company, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 365, H. B. 744, a bill to amend the charter of the town of Edenton, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 693, H. B. 923, a bill to levy a special tax in Pasquotank county, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Barringer, Bateman, Battle, Bernard, Bingham, Bird, Bizzell, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Chadwick, Cobb, Coffield, Colwell, Davis of Haywood, Davis of Madison, Dixon, Ellison, Forbes, Foster, Foy, Fulcher, Gatling, Goldston, Harrell, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Meares, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Powers, Reid of Macon, Reid of McDowell, Reynolds, Smith, Taylor, Waddell, Wheeler, Wimberly, Woodhouse, and York—72.

Nays—None.

S. B. 466, H. B. 895, a bill concerning receiving freights and changes of charges for transporting the same, &c., is taken up and passes its several readings and is ordered to be enrolled for ratification.

H. B. 890, a bill to incorporate Piedmont Lodge, Independent Order of Good Templars, Hickory, N. C., is taken up and passes its several readings and is ordered to be engrossed and sent to the Senate for engrossment.

H. B. 400, a bill to allow justices of the peace to issue process in certain cases to any county in the State, is taken up.

Mr. Jones moves to lay on the table, but temporarily withdraws.

The motion to lay on the table is renewed by Mr. Cooke and adopted by the House.

H. B. 708, a bill to provide for the laying off of a road from Quaker Bridge, Jones county, to a point near Tar River Landing, Onslow county, is taken up.

The amendment offered by the committee on Public Roads is adopted, and the bill passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Ardrey, Barringer, Bateman, Battle, Berry, Bizzell, Blocker, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Ellison, Ewing, Forbes, Foster, Foy, Fulcher, Gatling, Harrison, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lowry, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Osborne, Pettipher, Powers, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Turner, Waddell, Wheeler, Woodhouse, York, and Young—71.

Nays—None.

S. B. 854, a bill for the relief of the sureties on the official bonds of the late tax collector of the town of Fayetteville, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Ardrey, Atkinson, Barringer, Bateman, Bird, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Click, Cobb, Coffield, Colwell, Cooke, Dixon, Ellison, Foy, Fulcher, Gatling, Harrell, Harrison, Henderson, Hewett, Hines, Hobbs, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Meares, Mebane, Moore, Mc-

Gehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Taylor, Wheeler, Woodhouse, York, and Young—67.

Nays—None.

S. B. 367, H. B. 948, a bill to enable the city of Wilmington to pay its present bonded indebtedness, is taken up on its second reading.

Mr. Cooke moves to amend by striking out the word "act" in line 10, section 4, down to the end of said section.

The amendment is adopted.

On motion, the bill is passed over informally and again takes its place on the Calendar.

S. B. 464, H. B. 828, a bill to amend the charter of the town of Farmville, is taken up.

The substitute offered by the committee on Corporations is adopted, and the bill passed its several readings and ordered to be engrossed and sent to the Senate for concurrence.

S. B. 469, H. B. 697, a bill to authorize the commissioners of McDowell county to levy a special tax, is taken up on its third reading and passes by the following vote and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Barringer, Bateman, Battle, Bernard, Bingham, Bizzell, Blaisdell, Brown of Mecklenburg, Bruce, Buchan, Carter of Warren, Carter of Yancey, Cary, Chadwick, Click, Coffield, Council, Davis of Haywood, Davis of Madison, Forbes, Foy, Fulcher, Gatling, Goldston, Grant, Harrell, Harrison, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Leach, Lewis, Lowry, Lutterloh, Meares, Miller, McLean, Newell, Orchard, Osborne, Paxton, Pettipher, Powers, Reynolds, Richardson of Columbus, Ritchey, Taylor, Venable, Wheeler, Woodhouse, York, and Young—59.

Nays—Messrs. Berry, Cooke, Mebane, and Norment—4.

Mr. Richardson of Columbus, moves to adjourn and the motion is rejected.

S. B. 580, H. B. 805, a bill to fund the floating debt of Edgecombe county, is taken up on its third reading and passes by the following vote and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Battle, Bernard, Bird, Bizzell, Blaisdell, Blocker, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carter of Yancey, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Davis of Catawba, Davis of Madison, Dixon, Ellison, Forbes, Foster, Fulcher, Gatling, Goldston, Harrell, Hewett, Hines, Hobbs, Horton, Huffstetler, Jones, Lamb, Leach, Lutterloh, Meares, Miller, Moore, McLean, Newell, Norment, Orchard, Paxton, Pettipher, Powers, Reid of McDowell, Reynolds, Ritchey, Smith, Taylor, Waddell, Wheeler, Woodhouse, and York—64.

Nay—Mr. Lindsay—1.

H. B. 955, a bill to pay off the indebtedness of the Insane Asylum, is taken up and passes its several readings, and is ordered to be engrossed and sent to the Senate for concurrence.

By consent,

Mr. Harrell offers a resolution in regard to the State Geologist, which is placed on the Calendar.

On motion of Mr. Lewis, the House adjourns until Monday at 10 o'clock A. M.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
MONDAY, March 10th, 1879.

The House meets at 10 o'clock, Mr. Speaker Moring in

the chair, and is opened with prayer by Rev. Dr. Marshall, of the city.

REPORTS OF COMMITTEES.

Mr. Taylor from the committee on Internal Improvements, reports unfavorably on

S. B. 232, H. B. 951, a bill to incorporate the Wilmington, Charlotte and Western Railway Company.

Mr. Jones, from the committee on Corporations, reports favorably, with amendment, on

H. B. 876, a bill to incorporate the Fishing Creek and Tar River Improvement Company.

Mr. Carter of Buncombe, from the committee on Internal Improvements, reports favorably on

S. B. 727, H. B. 950, a bill to repeal chapter 159, laws of 1874–'75, in regard to changing the gauge of railroads.

The committee on Enrolled Bills reported as correctly enrolled:

An act to enable the county commissioners of Pasquotank to ascertain the county indebtedness, &c.;

An act to incorporate the Farmer's Bank of Milton, in Caswell county, N. C.;

An act to incorporate the Lawrence Manufacturing Company in Gaston county, N. C.;

An act to incorporate the town of Lowell in the county of Gaston;

A resolution in favor of clerk to the Committee on Nominations of Justices of the Peace and Clerk to the Tellers on the election of the same and for other purposes;

An act to levy a special tax in Perquimans county;

An act to authorize the town of Asheville, in Buncombe county to levy taxes for the support of graded schools;

An act to authorize the Directors of the Western North Carolina Railroad to expend a portion of the appropriation to said company for operating expenses;

An act to amend the charter of the town of Fayetteville and to appoint a finance committee;

An act to incorporate Oak City Lodge of the Knights of Honor, No. 419;

A resolution for a conference with the authorities of South Carolina and Tennessee for the purpose of securing the removal of obstacles to the passage of fish up the Yadkin and other streams;

An act to amend an act entitled an act to prevent obstruction to navigation in the waters of Newport river, Carteret county, passed at the session of 1874–'75, and to amend chapter 108 of Battle's Revisal entitled statutes, &c.;

An act concerning the official bond of the sheriff of Dare;

An act to amend an act to establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of sheep husbandry, ratified March 12, 1877;

An act to provide for the completion of the Western Asylum for the insane;

An act to amend chapter 20, laws of 1876–'77;

An act to authorize the commissioners of Harnett county to levy a special tax and for other purposes;

An act to incorporate the Burgaw and Onslow Railroad Company;

An act to authorize the county of Bladen to fund the floating debt;

An act to empower the commissioners of Haywood county to build a court house;

An act for the relief of John H. Cox, sheriff of Perquimans county.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills, &c., to have been correctly engrossed and they are transmitted to the Senate for concurrence:

A bill to facilitate the navigation of the streams of the State;

Engrossed substitute for S. B. 633, H. B. 933;

A bill to prohibit the sale of spirituous liquors in certain localities;

Engrossed amendment to S. B. 29, H. B. 220;

A bill to prevent the stealing of dead bodies;

Engrossed amendments to S. B. 69, H. B. 743, a bill to regulate salaries and fees in certain cases;

H. B. 261, a bill to remove obstructions to the passage of fish and to provide fishways;

H. B. 462, a bill to prohibit the sale or exchange of produce between sunset and sunrise in the counties of Iredell, Rowan and Cabarrus;

H. B. 460, a bill for the benefit of jurors and witnesses in cases of homicide;

H. B. 766, a bill to authorize the county commissioners of Lincoln county to levy a special tax;

H. B. 937, a bill to provide for trial by jury in certain cases;

H. B. 353, a bill to aid the completion of the Seaboard and Raleigh Railroad by convict labor;

H. B. 215, a bill in regard to additional disqualification of jurors;

H. B. 236, a bill to amend sections 2, 4 and 5, chapter 49, laws of 1876–'77;

H. B. 491, a bill to authorize the county commissioners of Hertford county to levy a special tax.

INTRODUCTION OF RESOLUTIONS.

By Mr. Turner,

Resolution concerning bonds of the State;

By Mr. Amis,

Resolution in favor of the door-keepers and their employees; and

By Mr. Carter of Buncombe,

Resolution to pay the actual expenses of the committee to investigate the W. N. C. R. R.; and

By Mr. York,
Resolution on adjournment;
All of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Davis of Catawba;
A bill supplemental to an act to amend section 8, chapter 255, laws of 1876-'77, &c.;
By Mr. Lewis,
A bill to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad Company; and they are placed on the Calendar.
By Mr. Richardson of Wake,
A bill to provide for the inspection and analysis of fertilizers; which is referred to the committee on Agriculture.

Mr. Turner offers a protest against the passage of the bill in relation to the construction bonds of the North Carolina Railroad, which the Speaker rules as inadmissable on account of being disrespectful in its tone to the House, and could not go on the Journal in its present shape.

Mr. Turner offers another protest against the passage of the bill in relation to the Williamston and Tarboro Railroad:

PROTEST.

Josiah Turner, a member from Orange, in the exercise of his constitutional privilege, submits what follows as his protest against the bill in regard to the Williamston and Tarboro Railroad:

It is claimed that the State owes $150,000 in bonds, and with the accrued interest owes $200,000.

I. This is a false claim. In 1868, the Convention loaned the Tarboro and Williamston road $150,000, upon the road

giving a mortgage and agreeing to pay the interest on said loan promptly every six months.

II. The road never paid the interest, nor has it to this day. The loan was in good will and charity as it were.

III. L. P. Bane & Co., of New York, received the bonds for a loan of $20,000.

IV. The road was thrown into bankruptcy, and bought by L. P. Bane & Co. for a trifle; so they hold the road and the bonds.

V. The corporation, bought and owned by L. P. Bane & Co., owe it to justice, the State and themselves to return the State her bonds. The corporation should be sued and indicted if it fails to return the bonds.

VI. The $20,000 was expended on the road, and L. P. Bane & Co. own the road as well as the $150,000 of bonds.

VII. The State owns no interest in this road, and L. P. Bane & Co., their aiders and abettors should be checked in their peculations and frauds upon the State.

Mr. Turner offers the following protest against the tabling of H. R. 174:

The undersigned protests against the action of the House in laying on the table a resolution requesting the Attorney General to sue and indict the persons, who by fraud and corrupt use of money, deprived the State of its property in the Cape Fear Navigation Company, and submits the following reasons for his protest:

1. The property was valuable and had paid into the State Treasury in the way of dividends $41,350.40.

2. The dividends were a part of the school fund.

3. The property was valued at $200,000, the State owning a little more than one-third of it.

4. The Cape Fear Steamboat Company, and the parties who bought, were guilty of fraud and deceit in the purchase and used money to corruptly bring about the sale.

5. It was said the river should, after purchase, be made free.

6. The ring men and boat-owners combined and conspired to fleece the State.

The Superintendent of Public Works, C. L. Harriss, testified before the Shipp Fraud Commission that Thomas S. Lutterloh, the purchaser, told him the river should be free. H. A. McDaniel testified that one of the purchasers told him the river should be free. Dr. Murphy and Z. French, members of the General Assembly, testify it was understood by them the river would be free after the sale and purchase.

It is proven and recorded in the Shipp Fraud Commission that F. A. Bryan, who acted as agent for the purchasers, said the stock would be sunk and the river made free.

7. J. D. Williams of Fayetteville, testified as follows before the Shipp Fraud Committee:

"Mr. Lutterloh, upon his return to Fayetteville, (after a visit to Raleigh to buy the State's stock), * * * said that he (Lutterloh) had paid Mr. Byrne $500 for his services for aiding in getting the commissioners together, and that Byrne had informed him (Lutterloh) that there was another party who would put in a higher bid unless he was bought off. To do this, to buy off this party, he (Lutterloh) paid him one dollar a share, amounting to $650, and paid five dollars to a servant to carry in his last bid."

8. The price paid was only $3,250, and the purchaser received not only the State's interest in the property but good accounts due for tolls, amounting to $25,000.

9. The special committee to whom was referred the resolution proposing to sue and indict the parties thus peculating and defrauding the State, reported the parties were willing to surrender the property upon the State's returning $3,250, the purchase money; but this would leave $25,000 in the hands of the peculators, to say nothing of the tolls they have received for ten years.

10. Such bold and daring spoliation of the State calls for

the condemnation of the people's representatives, and they should at least order the Attorney General to sue and indict.

JOSIAH TURNER.

Mr. Turner offers another protest against the rejection of the protest against the appointment of certain Trustees of the University, which is ruled as inadmissible.

On motion of Mr. Cooke, leave for one hour is granted to the committee on the Judiciary.

A MESSAGE FROM THE SENATE

is received, transmitting

S. B. 703, a bill to create a railroad commissioner for the State of North Carolina and to define his duties, which is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 786, a bill to repeal all and any act or parts of acts creating, recognizing or continuing in existence the Western Division of the Western North Carolina Railroad, and for other purposes; and

S. B. 690, a bill to amend chapter 202, laws of 1874-'75 to protect the State's interest in railroads; both of which are placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. B. 455, S. B. 381, a bill to establish a State line between North Carolina and Georgia;

H. B. 104, S. B. 322, a bill to amend chapter 240, laws of 1874-'75, act entitled an act to prevent discrimination in freights and tarriffs by railroad companies;

H. B. 122, S. B. 318, a bill to allow citizens of Jackson county to pass through the toll gates of Macon county, also to allow the citizens of Macon county to pass through the toll gates of Jackson county free.

The amendments are concurred in by this House, and the bills as amended are ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 618, a bill to authorize the commissioners of Rutherford county to fund certain bonds, issued in aid of the Wilmington, Charlotte and Rutherford Railroad, which is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. B. 610, S. B. 738, a bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers, and asking concurrence of the House in the same. Concurrence is had, and the bill so amended is ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 333, a bill to provide a fund for the payment of jurors;

S. B. 784, a bill to amend chapter 97, Battle's Revisal, concerning the printing of public laws; and

S. B. 719, a bill to amend chapter 26, Battle's Revisal, entitled corporations, and for other purposes; all of which are placed on the Calendar.

THE CALENDAR

is resumed, and

S. R. 415, a resolution to print the Governor's Message, is put on its second reading and fails to pass.

S. R. 293, a resolution in relation to the funeral expenses of the late Chief Justice Pearson, is put on its second reading.

Mr. Bizzell moves the resolution be laid on the table.

On that motion Mr. Amis demands the ayes and nays. The call is sustained and the House refuses to table by the following vote:

Ayes—Messrs. Atkinson, Barringer, Bizzell, Bost, Bryson, Carroll, Coffield, Colwell, Davis of Haywood, Ewing, Foster, Goldston, Henderson, Hewett, Hines, Huffstetler, Lamb, Lindsay, Mebane, Oliver, Powers, Ritchey, Smith, and Wheeler—25.

Nays—Messrs. Amis, Anderson, Ardrey, Bateman, Battle, Bernard, Bird, Blocker, Bonner, Brown of Mecklenburg, Bruce, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carson, Cary, Cobb, Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Dixon, Ellison, English, Etheridge, Forbes, Foy, Fulcher, Gatling, Harrell, Harrison, Hobbs, Horton, Jones, Johnson, Leach, Leatherwood, Lockhart, Lowry, Lutterloh, Miller, Moore, McGehee, McLean, Newell, Norment, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Scott, Taylor, Venable, Waddell, White, Wimberly, Wynne, York, and Young—65.

The resolution is then put on its second reading, and, on its passage,

Mr. Lindsay demands the ayes and nays.

The call is sustained, and the resolution passes its second reading by the following vote:

Ayes—Messrs. Amis, Ardrey, Bateman, Battle, Bernard,

Blocker, Bonner, Brown of Mecklenburg, Bruce, Buchan, Cale, Carter of Buncombe, Carter of Warren, Cary, Christmas, Cobb, Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Dixon, Dunn, Ellison, Etheridge, Foy, Fulcher, Gatling, Harrell, Harrison, Hobbs, Horton, Johnson, Leatherwood, Lockhart, Lowry, Lutterloh, Moore, McGehee, McLean, Newell, Norment, Orchard, Osborne, Paxton, Rawley, Reynolds, Scott, Taylor, Venable, Waddell, White, Wimberly, Woodhouse, Wynne, and Young—55.

Nays—Messrs. Atkinson, Barringer, Bizzell, Bost, Bryson, Carroll, Coffield, Colwell, Davis of Haywood, Ewing, Foster, Goldston, Henderson, Hewett, Hines, Huffstetler, Lamb, Leach, Lindsay, Mebane, Powers, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, and Wheeler—27.

On motion of Mr. Cooke, the resolution is put on its third reading.

Upon this reading Mr. Hines demands the ayes and nays.

The call is not sustained, and the motion to go to the third reading prevails and the resolution passes and is ordered to be enrolled for ratification.

H. R. 228, a resolution on adjournment, is put on its adoption.

Mr. Mebane moves to amend by striking out "14th" and inserting "12th," and the amendment is rejected.

Mr. Blocker moves to insert "13th," at 12 M., which is rejected, and the resolution is adopted, and ordered to be engrossed and sent to the Senate for concurrence.

THE SPECIAL ORDER,

S. B. 612, a bill to adjust and renew a portion of the State debt, is announced, and the bill is put on its third reading.

Mr. Turner offers the following amendment:

Strike out "commissioners" wherever it occurs in the bill.

The question is put and it is rejected.

Mr. Cooke offers the following amendment:

Strike out of section 11 the words "certificates issued by them," and insert the words "bonds purchased by them."

Upon the passage of the bill Mr. McGehee demands the previous question.

The call is sustained and the main question ordered.

The question then recurs on the amendment of Mr. Cooke, and it is adopted.

The question is then put on the bill as amended, and it passes by the following vote, and is ordered to be sent to the Senate with engrossed amendments:

Ayes—Messrs. Amis, Angier, Ardrey, Barringer, Bateman, Berry, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Carter of Buncombe, Carroll, Chadwick, Click, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Ellison, English, Foard, Forbes, Gatling, Goldston, Harrell, Harrison, Hewett, Hines, Horton, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lockhart, Lowry, Lutterloh, Meares, McGehee, McLean, Norment, Oliver, Orchard, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Taylor, Wheeler, Wimberly, Woodhouse, and Young —61.

Nays—Messrs. Atkinson, Bingham, Bird, Carter of Warren, Christmas, Foster, Fulcher, Henderson, Hobbs, Leach, Mebane, Newell, Richardson of Wake, Scott, Turner, Wynne, and York—16.

On motion of Mr. Young,

S. B. 232, a bill to incorporate the Wilmington, Charlotte and Western Railroad Company, is made the special order for 10 P. M.

H. B. 892, a bill to incorporate the North Carolina Coast Canal Company, is put on its readings.

The amendment offered by the committee is adopted.

An amendment offered by Mr. Turner is rejected.

On the passage of the bill,

Mr. Woodhouse demands the previous question, which is ordered, and the bill put on its second reading and passes.

On motion of Mr. Woodhouse, the previous question is ordered on the passage of the bill on its third reading, and the bill passes and is ordered to be sent to the Senate for concurrence.

S. B. 674, a bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties, is put on its third reading.

Mr. Newell, Mr. Foard and Mr. Battle offer amendments, including their respective counties in the provisions of the bill, which are accepted; and the bill as amended passes, and is sent to the Senate without engrossment of amendments.

On motion of Mr. McGehee,

S. B. 703, a bill to create a railroad commissioner for the State of North Carolina and to define his duties, is made the special order for 8 o'clock this evening.

On motion of Mr. Powers,

S. B. 396, a bill to audit the debts of Cleaveland county, is made the special order for 9 o'clock this evening.

H. B. 854, a bill for the relief of the sureties on the official bonds of the late tax collector of the town of Fayetteville, passes its several readings by the following vote, and is sent to the Senate without engrossment:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Barringer, Bateman, Battle, Berry, Bird, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Chadwick, Christmas, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Ewing, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huff-

stetler, Johnson, Lamb, Leach, Leatherwood, Lockhart, Lowry, Lutterloh, Meares, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Venable, Wheeler, Wimberly, Wynne, York, and Young—77.

Nays—None.

H. B. 846, a bill to amend chapter 285 of the laws of 1876–'77, ratified March 12th, 1877.

Mr. Lutterloh moves to amend by striking out "⅞," and inserting "not to exceed three-tenths of one per cent," which is adopted.

On motion of Mr. Lutterloh, the action of the House adopting the amendment is reconsidered; and,

By consent,

The amendment is withdrawn, and the bill then passes its several readings by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bingham, Bird, Blaisdell, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Buncombe, Carter of Warren, Carroll, Carson, Chadwick, Christmas, Click, Council, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Foard, Forbes, Foster, Foy, Fulcher, Goldston, Harrell, Harrison, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, York and Young—74.

Nays—Messrs. Bizzell, Colwell, and Waddell—3.

H. B. 446, a bill to incorporate the town of Forestville, in the county of Wake, passes its several readings by the following vote, is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bird, Bizzell, Blaisdell, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carroll, Carson, Click, Cobb, Coffield, Colwell, Cooke, Council, Davis of Haywood, Davis of Madison, Dixon, Dunn, Etheridge, Foard, Forbes, Foster, Fulcher, Goldston, Harrell, Harrison, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Oborne, Paxton, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, Wynne, York and Young—72.

Nays—Messrs. Carter of Warren, and Turner—2.

H. B. 708, a bill to provide for the laying off of a road from Quaker Bridge, in Jones county, to a point near Tar Landing, in Onslow county, is put on its several readings and passes by the following vote, and is ordered to be engrossed and sent to the Senate for concurrence:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Berry, Bird, Bizzell, Bonner, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Warren, Carter of Yancey, Carson, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Etheridge, Foard, Fulcher, Gatling Goldston, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wimberly, Woodhouse, Wynne, York, and Young—76.

Nays—Messrs. Powers, Turner, Waddell, and Wheeler—4.

H. B. 155, a bill to repeal chapter 61, section 1, laws of 1872-'73, passes its several readings and is ordered to be engrossed and sent to the Senate for concurrence.

H. B. 266, a bill to lay off and establish a new county by the name of Richland, on motion of Mr. Norment, is laid on the table.

H. B. 282, a bill to amend the charter of the Snow Hill, Greensboro and Goldsboro Railroad, is put on its readings.

Mr. Turner moves to strike out the word "land" wherever it occurs, which motion is lost. And the question is on the amendments of the Committee, which are adopted, and the bill as amended passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Armstrong, Atkinson, Barringer, Bateman, Battle, Berry, Blaisdell, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Cale, Carter of Warren, Carter of Yancey, Carroll, Christmas, Click, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, English, Foard, Forbes, Foster, Gatling, Goldston, Harrell, Harrison, Hines, Holt, Horton, Huffstetler, Jones, Lamb, Leach, Leatherwood, Lewis, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Waddell, Wheeler, Wimberly, Woodhouse, Wynne, York, and Young—72.

Nays—Messrs. Dunn, and Turner—2.

H. B 311, a bill to allow non-resident executors to take oath before commissioners of affidavits, is put on its readings.

Mr. Moring offers the following amendment, which is adopted:

"*Provided*, that before issuing letters testamentary the executor or executors shall give bond in double the amount of the property in this State."

And the bill so amended passes its several readings and

is ordered to be engrossed.

LEAVES OF ABSENCE

are granted to

Mr. Carter of Warren, until Wednesday; to

Mr. Hewett indefinitely, on account of sickness in his family; and to

Mr. Foy indefinitely.

H. B. 322, a bill to repeal chapter 160, public laws of 1873–74, is taken up, and the question is on the substitute of the committee, which is adopted; and the bill so substituted passes its several readings and is ordered to be engrossed.

H. B. 334, to provide for the completion of the Marion, Asheville and Bakersville and Sparta turnpike roads, and providing convict labor for the same, on motion is laid on the table.

H. B. 356, a bill to incorporate the Methodist and Presbyterian churches in Lexington, Davidson county, is taken up.

Mr. Jones moves to lay the bill on the table, which motion is lost.

Mr. Jones moves to strike out section 2, which is adopted.

Mr. Smith renews the motion to table, which prevails and the bill is laid on the table.

H. B. 359, a bill to entitle constables of towns and cities to serve civil warrants is taken up.

The substitute offered by the committee is adopted, and the bill so substituted passes and is ordered to be engrossed.

S. B. 148, a bill to incorporate the Pungo and Alligator Canal Company, passes its several readings and is ordered to be enrolled for ratification.

And on motion the House adjourns until to-night at half-past 7 o'clock.

Evening Session.

House of Representatives,
Monday, March 10th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

On motion of Mr. Bryson,

S. B. 786, a bill to repeal all acts keeping in existence the Western Division of the Western North Carolina Railroad, is made the special order for 8 o'clock this evening;

On motion of Mr. Foard,

S. B. 477, a bill to repeal chapter 59, an act to provide a suitable residence for the Governor, is made the special order for half-past ten o'clock to-morrow;

On motion of Mr. Barringer,

S. B. 762, a bill to incorporate the Salisbury and Rockingham Railroad, is made the special order for to-morrow at 11 o'clock; and

On motion of Mr. Armstrong,

H. B. 839, a bill to repeal an act to incorporate the town of Lillington, in the county of New Hanover, is made the special order for to-night at 10 o'clock.

THE CALENDAR

is taken up.

H. B. 441, a bill to exempt *bona fide* residents of the State from the payment of any tax upon purchases and sales of horses, mules or live stock, on motion of Mr. Foard is referred to the committee on the Judiciary.

H. R. 224, a resolution in regard to the State Geologist, is adopted and ordered to be engrossed.

H. B. 541, a bill to repeal chapter 161, laws of 1876–'77,

so far as relates to Cumberland county, on motion of Mr. Barringer, is laid on the table.

H. B. 372, a bill to amend section 4, chapter 285, laws of 1876–'77, and

H. B. 362, a bill to allow suits by or in behalf of infants to be prosecuted without payment of fees, &c., pass their several readings and are ordered to be engrossed.

S. B. 7, a bill to amend section 1, chapter 196, laws of 1876–77, passes its several readings and is ordered to be enrolled for ratification.

H. B. 974, a bill to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad, is taken up.

Mr. Foard offers the following amendment:

"*Provided*, Nothing herein contained shall be construed to repeal any act heretofore assigning convicts to the railroads in this State;"

which is adopted, and the bill as amended passes its several readings and is ordered to be engrossed.

H. B. 376, a bill for the restoration of persons convicted of felony to the rights of citizenship, is put on its second reading.

Mr. Bost offers the following amendment, which is adopted on a division of ayes 33, nays 27:

"*Provided*, This act shall not apply to any one convicted by a court of impeachment."

Mr. Colwell offers the following, which is accepted:

Amend by striking out "one" and inserting "two" years.

Mr. Foard offers the following, which is rejected:

Strike out "two years" and insert "three;"

and the bill, as amended, passes its second reading.

Upon going to a third reading, Mr. Richardson of Columbus, offers the following amendment:

Strike out all after "costs" in line 2, section 10;

which is adopted.

Mr. Rawley offers the following amendment:

"That any one who has, or shall receive, a pardon from the Governor shall be entitled to the provisions of this act;"

which is rejected, and the bill then passes its several readings and is ordered to be engrossed.

THE SPECIAL ORDER,

S. B. 786, a bill to repeal the acts creating the Western Division of the Western North Carolina Railroad, is announced and put on its readings and passes and is ordered to be enrolled for ratification.

THE SECOND SPECIAL ORDER,

S. B. 703, a bill to create a railroad commissioner for the State of North Carolina, and to define his duties, is announced and put upon its readings.

Mr. Atkinson offers the following amendment:

Amend by striking out $500, and inserting above ratifying clause: "*Provided*, that there shall be no charges against the State's interest in any road; nor shall the State pay anything under this bill to said commissioners or other persons."

On motion of Mr. Jones, the business before the House is suspended for the motion that the Enrolling Clerk be authorized to add an additional section to

S. B. 167, a bill to extend the charter of certain banks, in order that such bill be made intelligible.

The order is made and the Senate is informed of the action of the House.

Action on S. B. 703 is resumed; and after disccussion,

On motion of Mr. Lindsay, the bill is laid on the table.

REPORTS OF COMMITTEES.

Mr. Lockhart, from the Judiciary committee, reports

A resolution in regard to the payment of witnesses for the State in the case of the State *vs.* Geo. W. Swepson; and a

Majority and minority report in the matter of J. H. Brooks *vs.* A. C. Meares; which are ordered to be placed on the Calendar.

Mr. Bernard, from the committee on Counties, Cities, Towns and Townships, reports favorably on

H. B. 906, a bill to define the line between the counties of Bladen and Columbus.

Mr. York, from the committee on the Insane Asylum, reports

S. B. 401, H. B. 900, a bill to repeal the law providing for the maintenance of lunatics outside the Insane Asylum, making no recommendation thereon.

Mr. Holt, from the committee on Corporations, reports favorably on

H. B. 763, a bill to incorporate the Sulphur Springs and Paint Rock Turnpike Company.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills, &c., to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 890, a bill to be entitled an act to incorporate Piedmont Lodge of Good Templars, Hickory, N. C.;

H. B. 892, a bill to be entitled an act to incorporate the North Carolina Coast Canal Company;

H. B. 639, a bill to be entitled an act to incorporate Zion Hill Cemetery Company, Concord, N. C.;

H. B. 955, a bill to be entitled an act to pay off the indebtedness of the Insane Asylum;

Engrossed amendments to

H. B. 715, S. B. 963, a bill to be entitled an act to aid in the completion of the Asheville and Spartanburg Railroad.

Mr. Holt, from the committee on Engrossed Bills, reports the following amendment to have been correctly engrossed, and it is transmitted to the Senate for concurrence:

Engrossed amendment to

S. B. 674, H. B. 914, a bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties.

THE NEXT SPECIAL ORDER,

H. B. 616, a bill to establish a new county by the name of Jarvis, is announced and put on its raadings.

Mr. Blocker moves to lay the bill on the table, on which motion Mr. Davis of Madison, calls the the ayes and nays. The call is not sustained, and on a division the motion to table prevails by a vote of ayes 55, nays 19.

THE NEXT SPECIAL ORDER,

S. B. 396, a bill to ascertain and audit the debts of Cleaveland county, is announced.

On the passage of the bill, Mr. Covington demands the previous question, and the main question is ordered, and the question being put on the bill, it passes its several readings and is ordered to be enrolled for ratification.

H. B. 839, a bill to repeal an act entitled "an act to in-

corporate the town of Lillington, in the county of New Hanover, is put on its readings and passes, and is ordered to be engrossed.

S. B. 687, a bill to amend the charter of the town of Pittsboro, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification.

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Bingham, Blaisdell, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Cobb, Coffield, Colwell, Cooke, Council, Covington, Davis of Catawba, Davis of Madison, Dixon, Dunn, Foard, Forbes, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Moore, McCorkle, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Venable, White, Woodhouse, York, and Young—79.

Nays—None.

Mr. Blocker moves to take from the table

H. B. 616, a bill to create and establish the new county of Jarvis, previously tabled, and the motion fails.

S. B. 693, a bill to levy a special tax in the county of Pasquotank, passes its third reading by the following vote, and is ordered to be enrolled for ratification :

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Bernard, Berry, Blaisdell, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Carter of Buncombe, Carroll, Cary, Chadwick, Christmas, Click, Cobb, Coffield, Colwell, Council, Davis of Catawba, Davis of Madison, Dixon, Dunn, Foard, Foster, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Holt, Horton, Huffstetler, Jones, Johnston, Leach, Leatherwood, Lewis, Lindsay, Lowry, Lutterloh, Meares, Mebane, Moore, McGehee, McLean, Oliver,

Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, York and Young—72.

Nays—Messrs. Newell, Norment, and Waddell—3.

H. B. 882, a bill to prevent live stock from running at large in such townships in Wake as may so vote;

The substitute offered by the committee is adopted and as substituted passes its third reading by the following vote, and is ordered to be engrossed:

Ayes—Messrs. Anderson, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Bernard, Berry, Blaisdell, Blocker, Bonner, Brown of Mecklenburg, Buchan, Cale, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Click, Cobb, Council, Davis of Catawba, Dixon, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Holt, Huffstetler, Lamb, Leach, Leatherwood, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, Woodhouse, York, and Young—65.

Nays—Messrs. Battle, Christmas, Coffield, Davis of Haywood, English, Horton, Newell, Pettipher, Reynolds, Scott, Turner, Waddell, White, and Wimberly—14.

THE NEXT SPECIAL ORDER,

S. B. 401, a bill to repeal the law providing for the maintenance of outside lunatics, is announced and put on its second reading.

Mr. Lewis moves to lay the bill on the table; but withdraws the motion to admit discussion.

On the passage of the bill, Mr. York demands the previous question; the call is sustained and the question is put

on the passage of the bill and fails to pass by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Atkinson, Barringer, Bateman, Bernard, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carroll, Click, Council, Covington, Davis of Haywood, English, Etheridge, Goldston, Grant, Harrell, Holt, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lutterloh, Meares, Mebane, McLean, Oliver, Orchard, Paxton, Rawley, Reid of Macon, Richardson of Wake, Smith, Taylor, Wheeler, and York—43.

Nays—Messrs. Armstrong, Battle, Berry, Bingham, Blaisdell, Bruce, Carter of Yancey, Cary, Christmas, Cobb, Coffield, Cooke, Davis of Catawba, Davis of Madison, Dixon, Dunn, Foard, Forbes, Foster, Gatling, Harrison, Henderson, Hines, Horton, Huffstetler, Leach, Lewis, Lockhart, Lowry, Miller, Moore, Newell, Norment, Osborne, Pettipher, Powers, Reid of McDowell, Reynolds, Richardson of Columbus, Ritchey, Scott, Turner, Venable, Waddell, White, Wimberly, Woodhouse, Wynne, and Young—49.

S. B. 511, a bill for the internal improvement of Sampson county, is put on its second reading.

Mr. Hines moves to strike out "25" convicts and insert "100," which is adopted.

Mr. Jones offers the following amendment, which is adopted:

Provided, that nothing herein contained shall be construed to lessen the number of convicts heretofore granted to any railroad in which the State has an interest; nor shall the State make any charge for the maintenance of the same."

And the bill as amended passes its several readings, and is ordered to be sent to the Senate with engrossed amendments.

S. B. 678, a bill to charter the town of Quhele, formerly Tilden, is put on its third reading and passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Berry, Blocker, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter of Buncombe, Carroll, Cary, Christmas, Click, Cobb, Coffield, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Etheridge, Foard, Forbes, Foster, Gatling, Goldston, Hines, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, White, Wimberly, York, and Young—78.

Nays—None.

S. B. 538, a bill to incorporate the town of Roxboro in Person county, is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Berry, Blaisdell, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carroll, Cary, Christmas, Click, Council, Davis of Haywood, Davis of Madison, Dixon, Dunn, Etheridge, Forbes, Foster, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, York, and Young—72.

Nays—None.

Mr. Coffield moves to reconsider the vote by which

S. B. 401, a bill relating to outside lunatics, was laid on the table, and to lay the motion to reconsider on the table;

Upon which motion Mr. Davis of Haywood demands the ayes and nays.

The call is not sustained and, on a division, the House refuses to table the motion to reconsider by a vote of ayes 25, nays 40.

The question then recurs on the motion to reconsider, which was lost on a division, ayes 38, nays 42.

S. B. 636, a bill to incorporate the town of Manly, in the county of Moore, passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Berry, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Cary, Christmas, Click, Coffield, Council, Davis of Haywood, Davis of Madison, Dunn, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrison, Hines, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Meares, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Waddell, Wheeler, Wimberly, Woodhouse, York, and Young—71.

Nays—None.

H. B. 424, a bill to amend chapter 163, laws of 1871–'72, passes its several readings and is ordered to be engrossed.

By consent,

Mr. Carter of Buncombe, introduces a bill to authorize the W. N. C. R. R. to contract for the building of certain bridges, which is referred to the committee on Internal Improvements.

Mr. Richardson of Columbus, moves to adjourn.

On which motion Mr. —— demands the ayes and nays.

The call is sustained, and the House, by the following vote, adjourns until to-morrow morning at 10 o'clock:

Ayes—Messrs. Angier, Atkinson, Barringer, Bateman, Blaisdell, Bost, Bruce, Bryson, Burroughs, Cale, Cary, Cooke, Foard, Forbes, Foster, Goldston, Grant, Harrell, Harrison, Holt, Johnson, Lamb, Lewis, Lockhart, Lowry, Meares, Mebane, Miller, Moore, Oliver, Orchard, Paxton, Powers, Reynolds, Richardson of Columbus, Richardson of Wake, Smith, Taylor, Wheeler, Wimberly, Woodhouse, and Young—42.

Nays—Messrs. Amis, Anderson, Ardrey, Armstrong, Battle, Berry, Blocker, Bonner, Brown of Mecklenburg, Buchan, Carter of Buncombe, Coffield, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Gatling, Huffstetler, Jones, Leach, Lutterloh, McLean, Newell, Osborne, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Ritchey, Scott, Turner, Waddell, and York—36.

FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
Tuesday, March 11th, 1879.

The House meets this morning at ten o'clock.

Mr. Speaker Moring in the chair, and is opened with prayer by Rev. Mr. Black of this city.

REPORTS OF COMMITTEES.

The committee on Enrolled Bills reports as correctly enrolled:

An act to re-convey a house and lot heretofore sold for taxes;

An act to regulate the size of fish packages;

An act to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company;

An act to repeal chapter 148, private laws of 1868–'69 with reference to the town of Ridgeway;

An act to relieve farmers and others from the paying of special tax;

A resolution asking our Senators and Representatives in Congress to advocate the establishment of two Universities in the State;

An act to amend section 1, chapter 260, laws of 1876-'77 prohibiting the sale of liquor in certain localities;

An act to authorize the commissioners of McDowell county to levy a special tax;

An act concerning freight and charges for transporting the same by railroad or other transportation companies;

An act to amend section three hundred and forty-three of chapter seventeen, Battle's Revisal;

An act to provide for the support of the North Carolina Institution for the Deaf and Dumb and the Blind for the years one thousand eight hundred and seventy-nine and one thousand eight hundred and eighty;

An act to prevent over charges in the sale of produce;

An act to incorporate the town of Troy, in the county of Montgomery;

An act to define "false pretense."

An act to amend chapter 122, laws of 1876-'77;

An act to empower the Western North Carolina Railroad Company to make terms with the C. and L. N. G. Company;

An act to extend the charters of certain banks;

An act to incorporate the village of Big Lick, Stanly county;

An act to correct an error in the act to compromise, commute and settle the State debt;

An act to compromise, commute and settle that portion

of the State debt known as the Williamston and Tarboro Railroad;

An act to consolidate and revise the charter of the town of Winston and the amendments thereto.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills and resolutions to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 359, a bill to allow constables of towns and cities to serve civil warrants;

H. B. 337, a bill to amend chapter 72, laws of 1874–'75;

H. B. 882, a bill amendatory of, and supplemental to an act passed the pressent session and entitled an act to prevent live stock from running at large in Rowan, Davie and other counties;

H. B. 253, a bill to prevent the selling or giving away of spirituous liquors at public political speakings;

H. B. 638, a bill to incorporate Zion Wesley Institute, Cabarrus county;

H. B. 466, a bill to prescribe the rates of ferriage in Bladen county;

H. B. 844, a bill to protect fish in certain streams in the county of Duplin;

H. R. 221, resolution concerning the Penitentiary Sunday school;

H. R. 228, resolution on adjournment;

H. B. 512, a bill to amend the charter of the town of Farmville;

H. B. 708, a bill to provide for the laying off a road from Tucker's Bridge in Jones county to a point near Tar River Landing in Onslow county;

H. B. 846, a bill to amend chapter 285, laws 1876–'77, ratified March 12, 1877;

H. B. 311, a bill to allow non-resident executors to take oath before commissioners of affidavits;

H. B. 155, a bill to repeal chapter 61, section 1, laws of 1872–'73;

H. B. 446, a bill to incorporate the town of Forestville in the county of Wake;

H. B. 322, a bill to repeal chapter 160, public laws of 1873–74;

Engrossed amendments to Senate substitute for

H. B. 930, S. B. 790, a bill for the support of the Penitentiary for the years 1879–80;

Engrossed amendments to

S. B. 511, H. B. 966, a bill for the internal improvement of Sampson county;

H. B. 973, a bill to be entitled an act supplemental to an act to amend section 8, chapter 255, laws 1876-'77, ratified February 27, 1879;

H. R. 215, resolution to promote immigration and develop the lands of the State;

H. B. —, a bill to amend chapter 63, laws of 1874–'75, it being the act to change the dividing line between the counties of Franklin and Granville;

Engrossed amendments to

H. B. 964, S. B. 612, a bill to adjust and renew a portion of the State debt.

INTRODUCTION OF RESOLUTIONS.

By Mr. Reid of Macon,

Resolution in regard to the account due Macon county for the support of Marcus Moses, an insane pauper; and

By Mr. Turner,

A resolution to protect the honor and integrity of this body; both of which are placed on the Calendar.

INTRODUCTION OF BILLS.

By Mr. Battle,

A bill to pay the jurors of Edgecombe county;

By Mr. Wynne, a bill to be entitled an act for the inspection and analysis of fertilizers;

By Mr. Davis of Catawba,

A bill to repeal section 6, chapter 116, Battle's Revisal, &c.; all of which are placed on the Calendar.

By Mr. Carter of Buncombe,

A bill to repeal the law providing for the maintenance of lunatics outside of the Asylum, which is also placed on the Calendar.

MESSAGE FROM THE SENATE.

A message is received from the Senate transmitting the following bills and resolutions and asking the concurrence of the House:

S. B. 827, a bill to collect arrears of taxes in the county of Halifax;

S. R. 353, a resolution in favor of Jesse Hathcock of Cabarrus county; and

S. B. 785, a bill supplemental to an act to compromise, commute and settle the State debt.

They are read for the first time in this House and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 508, a bill in regard to the removal of civil causes for trial from the State courts to the Circuit court of the United States;

S. B. 499, a bill to regulate pilotage over the bar of Ocracoke Inlet and over the swash;

S. B. 582, a bill to incorporate the Buck Swamp Agricultural Canal Company;

Senate amendments to

H. B. 759, S. B. 688, a bill to establish cotton weighers for

the towns of Goldsboro, Kinston and Newbern; and also informing the House of the refusal of the Senate to concur in the House substitute for

S B. 63, H. B. 933, a bill to prohibit the sale of liquor in certain localities, and asking a committee of conference, and naming Messrs. Bryan of Pender, Harris and Hoyle as the Senate branch of the said committee.

S. S. 508, 499 and 582 are placed on the Calendar, and the Senate amendments to

H. B. 759, S. B. 688, are concurred in.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 672, a bill to authorize the Board of Education to make title to certain lands in Dare, Hyde, Tyrrell and Beaufourt counties, and asking the concurrence of the House therein.

The bill is read for the first time in this House and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 901, a bill to incorporate the Cotton and Grocers' Exchange of Raleigh; and

S. R. 832½, a resolution in favor of Richard Clayton, tax collector of Chowan county.

They are read for the first time in this House and placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 832, a resolution in favor of the principal clerks of the Senate and House, and also informing the House of the

adoption of the report of the committee of conference upon Senate amendments to

H. B. 451, S. B. 379, a bill to make the killing of live stock indictable.

S. R. 832 is placed on the calendar and the report of the committee of conference is adopted.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 830, a resolution in favor of R. P. Howell, and the resolution is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 825, a bill to legalize the purchase of land for the Penitentiary;

S. B. 829, a bill to complete the indexing of records in the Secretary of State's office; and they are placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

Senate amendments to H. B. 760, S. B. 739, a bill to reduce the costs in criminal proceedings, and they are concurred in by this House, and the bill ordered to be enrolled for ratification, and a message is ordered to be sent to the Senate informing that body of the action of the House.

A MESSAGE IS ALSO RECEIVED FROM THE SENATE

transmitting

S. B. 673, a bill to authorize townships in Halifax county to levy taxes for the support of graded public schools.

Mr. Turner sends forward a protest against the alleged use of foul and obscene language on the floor of the House.

The protest is ruled out by the Speaker, the House not being responsible for the acts of a member.

Mr. Turner also sends forward a protest against the action of the Speaker in refusing to receive a protest yesterday; the protest is ruled out by the Chair, and both protests are returned to Mr. Turner.

THE CALENDAR

is taken up, and

S. B. 790, H. B. 930, a bill for the support of the penitentiary for the years 1879 and 1880, is taken up and put upon its passage.

Mr. Atkinson sends forward the following amendment, which is rejected, viz:

"And that the railroad authorities shall furnish to the penitentiary authorities of Raleigh, such monthly reports as are now required of supervisors on said road."

Mr. Moring offers the following amendment, which is adopted:

Amend by striking out "eighteen," in line 11, section 1, and insert "twenty."

Mr. English offers the following amendment, which is adopted on a division:

Strike out "42," in line 7, section 1, and insert "40."

Mr. Coffield sends forward the following amendment, which is rejected:

In section 1, strike out "$30,000" and insert "$35,000."

Mr. Moring offers the following amendment:

Strike out in section 2, line 9, after the word "years," down to and including "1879."

And it prevails.

The question is on the passage of the bill on its second reading; and it passes its second and third readings and is ordered to be sent to the Senate with engrossed amendments asking concurrence in the same.

A MESSAGE IS RECEIVED FROM THE SENATE

announcing that that body refuses to concur in House amendments to

S. B. 69, H. B. 743, a bill to regulate salaries and fees, asking a committee of conference on the same, and that Messrs. Davidson, Scales and Black constituted the Senate branch of said committee.

And Messrs. Amis, Carter of Buncombe, Ardrey, Woodhouse and Blaisdell are appointed as the House branch of said committee.

THE SPECIAL ORDER,

being

S. B. 477, H. B. 867, a bill to repeal chapter 59, entitled an act to provide a suitable house for the Governor and to abolish the assistant clerkship in the executive office, is taken up.

Mr. Lockhart offers the following amendment:

"Strike out the word "and" in line 10 after the word "mentioned" and after the last word in the last line insert the words "the State."

Mr. Holt moves to refer the bill to the committee on Public Buildings and Grounds, and the motion does not prevail.

Mr. Norment offers the following amendment to the amendment of Mr. Lockhart, viz:

Amend by inserting the following proviso: "That the proceeds of said sales shall be turned over to the Treasurer as a part of the school fund,"

which does not prevail.

Mr. Lockhart sends forward another amendment, which is rejected.

Mr. Lockhart's original amendment is rejected.

The question is on the passage of the bill.

It passes its second and third readings and is ordered to be enrolled for ratification.

By consent,

Mr. York, from the committee on Fish Interest, reports favorably on

S. B. 237, H. B. 911, a bill to be entitled an act for the protection of fish, and it is placed on the Calendar.

Mr. Norment makes a report from the committee on the Judiciary on the contested election case between A. C. Mears, sitting member from Brunswick county, and J. H. Brooks, contestant.

The report and the evidence are read and the following resolution offered by the committee:

"*Resolved by the House of Representatives,* That J. H. Brooks is the member-elect to this House from the county of Brunswick; that the said J. H. Brooks, and not A. C. Meares, is entitled to a seat upon this floor as the representative from said county of Brunswick."

Mr. Norment moves to suspend the rules to take up the

resolution reported by the committee to put it on its passage.

The Speaker rules that, under the rules of the House, the rules could not be suspended except by unanimous consent.

Mr. Cooke moves to rescind the rule requiring unanimous consent, which prevails, and the resolution and report are taken up.

On motion of Mr. Norment, the matter is made the special order for to-day at 2 o'clock P. M.

H. B. 959, a bill to protect the fish interests of the State, is taken up, and, on motion of Mr. Moring, is made the special order for to-night at 9 o'clock.

H. B. 983, a bill to amend an act of this session of the General Assembly entitled an act to prevent the desecration of the Sabbath, is taken up and passes its second reading and goes to its third reading.

Mr. Brown of Mecklenburg, offers the following amendment:

Strike out the last provision of section 1, which is rejected on a division, ayes 17, nays 44.

Mr. Dunn offers the following amendment:

"*Resolved*, That this act shall not apply to trains used to carry passengers to and from religious meetings."

The amendment is rejected, and the bill passes its third reading, and is ordered to be engrossed.

Mr. McGehee moves to reconsider the vote by which S. B. 401, in regard to outside lunatics, failed to pass last night; and reconsideration is had.

Mr. Lewis moves to lay the bill on the table, and on that motion demands the ayes and nays.

The call is sustained and the House refuses to table by the following vote:

Ayes—Messrs. Armstrong, Battle, Bernard, Bingham, Blaisdell, Bruce, Carson, Cary, Chadwick, Christmas, Clarke, Coffield, Cooke, Davis of Catawba, Davis of Madison, Dixon, Dunn, Forbes, Henderson, Hines, Horton, Lewis, Lockhart, Lowry, Miller, Moore, Newell, Powers, White, Wimberly, Wynne and Young—32.

Nays—Messrs. Amis, Anderson, Ardrey, Atkinson, Barringer, Bateman, Berry, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Buncombe, Carroll, Click, Colwell, Council, Covington, Davis of Haywood, Deans, English, Etheridge, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lindsay, Lutterloh, Meares, Mebane, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Ritchey, Smith, Taylor, Wheeler, and York—56.

And the bill is put on its second reading.

On the passage of the bill Mr. English demands the previous question, and the main question is ordered and the bill is put on its second reading and passes by the following vote:

Ayes—Messrs. Amis, Anderson, Ardrey, Atkinson, Barringer, Bateman, Berry, Bizzell, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Buncombe, Carroll, Cary, Click, Colwell, Council, Covington, Davis of Haywood, Deans, English, Etheridge, Gatling, Goldston, Grant, Harrell, Holt, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lutterloh, Mebane, McGehee, McLean, Oliver, Osborne, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Smith, Taylor, Wheeler, and York—50.

Nays—Messrs. Armstrong, Bingham, Blaisdell, Bruce, Cale, Carson, Chadwick, Christmas, Clarke, Coffield, Cooke, Davis of Catawba, Davis of Madison, Dixon, Dunn, Forbes, Foster, Henderson, Hines, Hobbs, Horton, Huffstetler,

Lewis, Lockhart, Lowry, Miller, Moore, Newell, Norment, Orchard, Powers, Reynolds, Richardson of Columbus, Ritchey, Scott, Turner, White, Wimberly, Woodhouse, Wynne, and Young—41.

Mr. Atkinson moves to suspend the rules to put the bill on its third reading, and two-thirds not voting in the majority, the rules are not suspended.

S. B. 543, a bill to define the duties of sheriffs performing the duties of county treasurer, passes its several readings and is ordered to be enrolled for ratification.

H. B. 835, a bill to incorporate the Centenniel Lodge, No. 96, I. O. O. F. of Toisnot, Wilson county, is taken up and passes its several readings and is ordered to be engrossed.

By consent,

Mr. Carter of Buncombe, makes a report from the committee on the Judiciary, favorably on

H. B. 985, a bill to authorize the Western North Carolina Railroad Company to contract for the building of certain bridges.

H. B. 973, a bill supplemental to an act to amend section 8, chapter 255, laws of 1876-'77, &c., is taken up and passes its several readings and is ordered to be engrossed.

The following are announced as the committee of conference on S. B. 633, H. B. 933: Messrs. Lockhart, Bost, Armstrong, Foster and Dunn.

S. B. 639, a bill to change the courts of Martin county from the second to the third judicial district, &c., is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 367, a bill to enable the city of Wilmington to pay its present bonded indebtedness, is taken up and put on its second reading.

Mr. Cooke offers the following amendment, which is adopted:

Strike out all after the word "act" in the tenth line of the fourth section, down to the end of said section;"

and the bill so amended, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Barringer, Battle, Berry, Bingham, Blocker, Brown of Mecklenburg, Buchan, Cale, Carter of Buncombe, Carroll, Carson, Cary, Chadwick, Clarke, Cobb, Council, Covington, Davis of Catawba, Davis of Haywood, Dixon, Dunn, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrison, Hines, Holt, Huffstetler, Jones, Johnson, Lamb, Lockhart, Lowry, Lutterloh, Meares, Mebane, Miller, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Taylor, Venable, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—69.

Nays—Messrs. Atkinson, Bost, and Turner—3.

H. B. 986, a bill to pay the jurors of Edgecombe county, is taken up and put on its passage.

Mr. Clarke moves to insert Craven county, which is accepted.

Mr. Lockhart offers the following amendment:

"*Provided*, this act shall not apply to any claims now outstanding,"

which is adopted, and the bill so amended passes its several readings and is ordered to be engrossed.

THE SPECIAL ORDER,

S. B. 762, a bill to incorporate the Rockingham and Salisbury Railroad, is announced.

Mr. Lockhart moves to refer the bill to the committee on

Internal Improvements, which motion, after discussion, fails.

The bill then passes its second reading; and on motion of Mr. Barringer, goes to its third reading, and passes and is ordered to be enrolled for ratification.

S. B. 611, a bill in relation to the city of Raleigh, is taken up and passes its several readings, and is ordered to be enrolled for ratification.

THE SPECIAL ORDER OF THE HOUR,

the report and resolution on the Brunswick county contested case, is announced.

The reading of the report and evidence is dispensed with, and the resolution is before the House.

Mr. Etheridge moves the report and evidence be printed.

On a division, the House refuses to make the order to print.

On motion, the evidence is read, and the question being put on the report and resolution, they are adopted, and, on motion of Mr. Cobb, the House adjourns till to-night at half-past seven P. M.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
March 11th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

is taken up, and

H. B. 985, a bill to authorize the W. N. C. R. R. Co. to contract for the building of certain bridges, is taken up and passes its second reading.

On motion of Mr. Carter of Buncombe,

The bill is put on its third reading, passes and is ordered to be sent to the Senate without engrossment.

By consent,

Mr. Richardson of Wake, introduces a resolution in relation to the gates of the Capitol square; which is placed on the Calendar.

By consent,

Mr. Atkinson introduces the following bill, which is placed on the Calendar:

A bill to appoint additional trustees for Newton Academy, Buncombe county.

Mr. Norment introduces a resolution in favor of the witnesses in the Brunswick county contested case; and, on motion of

Mr. Norment, the resolution is put on its adoption, and passes its second reading.

By consent,

Mr. Clarke introduces a bill concerning the internal improvement of Beaufort and Craven connties, which is referred to the committee on Internal Improvements.

H. B. 934, a bill to submit the question of the sale of liquor to the voters of Reidsville, is taken up and passes its second and third readings and is sent to the Senate without engrossment.

By consent,

Mr. Christmas introduces the following bill which is placed on the Calendar:

A bill to amend chapter 38, laws of 1876–'77.

S. B. 658, H. B. 918, a bill to be entitled an act to incorporate the Roxboro and ..... Narrow Guage Railroad is taken up, passes its third reading; on motion, the vote by which it passed is reconsidered in order to attach the ratifying clause.

The bill then passes its third reading and is ordered to be sent to the Senate with engrossed amendments.

Mr. McGehee moves to suspend the rules and take up S. B. 401 on its third reading.

The motion is put and, on a division, the rules are not suspended.

S. B. 828, H. B. 994, a bill to legalize the purchase of land for the Penitentiary, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 471, H. B. 862, a bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Cale, Carter of Buncombe, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Coffield, Council, Davis of Haywood, Deans, Dixon, Dunn, Etheridge, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Henderson, Hines, Hobbs, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lowry, Mebane, Miller, Moore, McCorkle, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Wheeler, White, Wimberly, Woodhouse, Wynne, York, and Young—85.

Nays—None.

S. B. 98, H. B. 299, a bill to prevent the destruction of

turtle, terrapins and marsh fowl in Brunswick county, is taken up.

The question is on the adoption of the amendments of the committee, and they are rejected.

The question then is on the passage of the bill, and it passes its second and third readings and is ordered to be enrolled for ratification.

Mr. Norment moves to suspend the rules and put

H. R. 235, resolution in favor of Phillip Praeleau and J. B. Evans, on its passage.

Mr. Norment offers the following amendment, which is adopted:

Amend by adding the name of "C. F. Lyon as a witness in the case of Augustus Robbins against W. C. Etheridge, for seven days, at one dollar and fifty cents per day, and five cents mileage each way."

And the amendment so amended passes its third and final reading.

By consent, the following petitions are introduced:

By Mr. Clarke, a petition from the citizens of Core Creek, in Craven county, praying the prohibition of the sale of spirituous liquors.

By Mr. Dunn, a counter petition from the same.

By Mr. Clarke, for Mr. Venable, a petition asking the repeal of the prohibitory law in certain townships in the county of Stokes, all of which are placed on the Calendar.

Subsequently, Mr. Pettipher sends forward a petition from citizens of Craven county, which takes its place on the Calendar.

Mr. Norment rises to a question of personal privilege in regard to a note addressed to him by W. C. Etheridge, a member of the House.

Mr. Etheridge rises to a question of personal privilege in reply to Mr. Norment.

H. B. 820, a bill to authorize the commissioners of Wake county to pay certain claims for teaching school, is taken up.

The amendments recommended by the committee are adopted, and the bill fails to pass its second reading.

S. B. 636, H. B. 912, a bill to incorporate the town of Manly Station, Moore county, is taken up and passes its third reading by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bernard, Berry, Blaisdell, Blocker, Bonner, Bost, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Covington, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Etheridge, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Hines, Holt, Horton, Huffstetler, Jones, Johnson, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Mebane, Miller, Moore, McCorkle, McLean, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, White, Wimberly, Woodhouse, York, and Young—82.

Nays—Messrs. Bingham, and Newell—2.

S. R. 832, H. R. 233, a resolution in favor of the secretary of the Senate and principal clerk of the House, is taken up.

Mr. Rawley moves so amend by allowing the other clerks of the General Assembly $50 each.

On a division the amendment is rejected by a vote of ayes 28, nays 32.

The resolution is adopted on a division, by a vote of yeas 48, nays 23.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting engrossed Senate amendments to

H. B. ——, S. B. 776, a bill to raise revenue, and asking the concurrence of the House.

The House at once proceeds to act upon them.

Mr. Jones moves to refer to the committee on Finance, with leave for that committee to sit immediately.

Pending the further consideration of the amendments,

THE SPECIAL ORDER,

H. B. 954, a bill concerning the taking of fish in the waters of Tranter's Creek, is announced.

On motion of Mr. Jones the special order is postponed until the matter before the House is disposed of.

The consideration of the Senate amendments to the revenue bill is resumed;

Mr. Jones withdraws his motion to refer to the committee on Finance;

Mr. McGehee moves that the House concur in the amendments of the committee.

Mr. Jones moves that the amendments be read *seriatim;*

Mr. Coffield offers the following amendment:

Strike out "cotton gins, saw mills, grist mills and wool mills;"

and the amendment is rejected.

Mr. Davis of Haywood, sends forward the following amendment, which is rejected:

Amend by saying, "each member of the General Assembly pay a tax of five dollars."

Mr. Atkinson offers the following amendment:

Strike out "taxes on trades, professions and businesses to pay the public debt;"

and upon this amendment Mr. York calls for the ayes and nays; the call is not sustained and the amendment is rejected.

Mr. Brown of Mecklenburg, introduces the following, which is rejected:

Strike out "two hundred" and insert "five hundred dollars."

Mr. Colwell sends forward the following amendment, which is rejected:

Amend by making tax on cotton gins five cents per bale on each 500 pounds bale ginned; and on saw mills five cents on each 1,000 feet of lumber sawed; and on grist mills one cent per bushel on all toll corn.

The question is on concurrence, and upon the motion to concur, Mr. Jones demands the ayes and nays.

The call is sustained, and the House refuses to concur by the following vote:

Ayes—Messrs. Angier, Ardrey, Barringer, Blocker, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Cooke, Foard, Gatling, Grant, Hines, Johnston, Lewis, McGehee, McLean, Orchard, Powers, Rawley, Reid of McDowell, Ritchey, Smith, Taylor, and Wheeler—26.

Nays—Messrs. Amis, Anderson, Armstrong, Atkinson, Bateman, Battle, Bernard, Bingham, Bonner, Bruce, Bryson, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Coffield, Colwell, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dixon, Dunn, English, Etheridge, Forbes, Foster, Goldston, Harrell, Harrison, Henderson, Holt, Horton, Huffstetler, Jones, Leach, Leatherwood, Lindsay, Lockhart, Lowry, Mebane, Miller, Moore, Newell, Norment, Oliver, Osborne, Pettipher, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Scott, Turner, White, Woodhouse, Wynne, York, and Young—62.

Mr Brown of Mecklenburg, moves that a message be sent to the Senate asking a committee of conference, and the motion prevails.

Mr. Lockhart rises to a question of personal privilege, disclaiming any intention of discourtesy to the gentleman from Person, Mr. McGehee.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly en-

grossed, and they are transmitted to the Senate for concurrence:

H. B. 362, bill to allow suits by or in behalf of infants to be prosecuted without fees or without giving security for costs;

H. B. 839, bill to repeal an act entitled an act to amend an act entitled an act to incorporate the town of Lillington, in New Hanover county;

H. B. 424, bill to amend chapter 163, laws of 1871–'72;

H. B. 376, bill for the restoration of persons convicted of felony to the rights of citizenship;

H. B. 372, bill to amend section 4, chapter 285, laws of 1876–'77;

H. B. 974, bill to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad;

H. B. 983, bill to amend an act passed at this session of the General Assembly entitled an act to prevent the desecration of the Sabbath day;

H. B. 835, bill to incorporate Centennial Lodge, No. 96, I. O. O. F., of Toisnot, Wilson county;

H. B. 986, bill to pay jurors of Edgecombe and Craven counties.

THE SPECIAL ORDER

is announced, being

H. B. 959, a bill to protect the fish interests of North Carolina.

Mr. Mebane offers the following amendment which is adopted:

Strike out "Graham, in Alamance county," and insert "Chatham and Alamance line."

Mr. Etheridge sends forward the following:

Amend by inserting, "The Cashie from its mouth to its

head, and there shall be lay days from Friday sunset to Monday at sunrise."

Messrs. Cooke and Colwell give notice of amendments.

Mr. York calls the previous question.

The question is upon an amendment of Mr. Etheridge, which is rejected.

Mr. English also offers an amendment, which is rejected.

Mr. Cooke sends forward the following, which is adopted:

"Amend by striking out section four."

Mr. Colwell offers the following amendment, which is also adopted:

"Amend by saying not more than one seine shall be drawn at one landing at the same time, within the boundaries designated on the several rivers."

The question is on the passage of the bill; and it passes its second reading and takes its place on the Calendar.

A MESSAGE FROM THE SENATE

is announced, transmitting the information that the Senate had passed by the requisite three-fifths vote of all the Senators

S. B. 860, a bill to alter the Constitution of North Carolina concerning the debt of the State, which is read the first time and placed upon the Calendar.

ALSO A MESSAGE

transmitting

S. B. 867, a bill supplemental to an act entitled an act for the support of the Penitentiary of North Carolina for the years 1879 and 1880; and

S. B. 765, a bill to regulate fees of certain officers in Pitt county.

They are read the first time in this House and are placed upon the Calendar.

On motion of Mr. English,

S. B. 667, a bill supplemental, &c., is at once put on its reading and passes, and is ordered to be enrolled for ratification.

A MESSAGE IS ALSO ANNOUNCED

transmitting

S. B. 641, a bill supplemental to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock of a railroad;

S. R. 849, a resolution of instruction to the Secretary of State; and

S. R. 648, a resolution in favor of Alfred Williams & Co.;

Also the report of the committee of Conference on House amendments to

S. B. 69, a bill to regulate salaries and fees.

They are read the first time in this House and placed upon the Calendar.

The report of the committee on Conference on

S. B. 69 is taken up on the question of concurrence.

Mr. Atkinson moves the House do not concur.

After long discussion on the report, the question is put on its adoption, upon which Mr. Amis demands the ayes and nays. The call is not sustained, and the question is put, and on a division no quorum votes. The question is again put, and the report is adopted by a vote of 37 ayes, 24 nays, and S. B. 69 is ordered to be enrolled for ratification.

And the House adjourns at half-past twelve to ten o'clock Wednesday morning.

FIFTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,
WEDNESDAY, March 12th, 1879.

The House meets at 10 o'clock, A. M.

Mr. Cooke in the Chair.

The reading of the Journal of yesterday is dispensed with and it stands as approved.

REPORTS OF COMMITTEES.

Mr. Armstrong, from the committee on Propositions and Grievances, reports on

H. B. 597, a bill to provide a fund for the payment of jurors in Edgecombe county.

Mr. Richardson of Columbus, from the committee on Finance, reports favorably on

H. B. 856, a bill to pension Confederate soldiers who have lost a limb in the late war; and unfavorably on

H. B. 252, a bill to tax non-resident drummers and merchants; on

H. B. 29, a bill to exempt deeds and mortgages from seal tax; on

H. B. 145, a bill to amend section 5 of Schedule C, of the Revenue Act, it being chapter 156, laws of 1876–'77, (substitute for H. B. 29); and on

H. B. 178, a bill to allow Jonas Cline, late sheriff of Catawba county, to collect arrears of taxes.

INTRODUCTION OF BILLS.

By Mr. Richardson of Columbus,

A bill in regard to the payment of taxes on bank stock; and

By the same,

A bill to enable the State and such citizens as own lands in White and Brown Marshes and Big Swamp, to drain the the same; both of which are placed on the Calendar.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House Bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. B. 906, bill to define the line between the counties of Bladen and Columbus;

H. B. 700, bill to relieve sheriffs in certain cases and to prevent the sacrifice of property at execution sale.

The committee on Enrolled Bills reports as correctly enrolled:

An act to ascertain the indebtedness of Madison county;

An act to prevent the felling of timber or otherwise obstructing the waters of Rockfish and Doctor's Creeks and other streams in the county of Duplin;

An act to authorize the Caldwell and Watauga Narrow-Gauge Railroad to change its gauge;

An act to amend the acts incorporating the town of Kenansville, in the county of Duplin;

An act to levy a special tax in Pasquotank county;

An act to incorporate the Champion Compress and Warehouse Company;

An act to incorporate Piedmont Lodge, No. 30, I. O. G. T., of Hickory, N. C.;

An act to incorporate the Grand Lodge of the Independent Order of Good Templars of North Carolina;

An act in regard to additional disqualifications of jurors;

An act to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in Richmond county;

An act to amend the charter of the town of Pittsboro, N. C.;

An act to prevent tramps infesting or depredating on citizens in this State;

Resolution in relation to the funeral expenses of the late Chief Justice Pearson;

An act to define the duties of sheriffs performing the duties of county treasurer;

An act to pay off the indebtedness of the Insane Asylum;

An act to require town and city constables to make monthly reports;

An act for the relief of the blind;

An act to aid in the construction of the Statesville Air-Line Railroad;

An act to amend chapter one hundred and fifty-five, of private laws of 1874–'75, concerning inspection of timber and lumber in the city of Wilmington.

A MESSAGE IS RECEIVED FROM THE SENATE

informing the House that the Senate had adopted the report of the committee of conference on

H. B. 933, S. B. 633, a bill to prohibit the sale of spirituous liquors in certain localities.

Also, transmitting an engrossed Senate amendment to

H. B. 692, S. B. 645, a bill to provide for keeping in repair the public roads.

The report of the committee of conference on

H. B. 933, S. B. 633, is adopted, and a message is sent to the Senate informing that body of the action of the House, and the bill is ordered to be enrolled for ratification.

The Senate amendment to

H. B. 692, S. B. 645, are concurred in and the bill ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 781, a bill for the better protection of the pupils of

the North Carolina Institution for the Deaf and Dumb and the Blind, &c., and asking concurrence.

The bill is read for the first time in this House and is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 769, a bill to change the boundaries between the counties of Ashe and Wilkes;

S. B. 642, a bill to re-enact chapter 227, laws of 1876-'77, allowing the county commissioners of New Hanover county to levy a special tax; and

S. B. 640.

They are read for the first time in this House and thus disposed of:

S. B. 769 and 640 are placed on the Calendar; and

S. B. 642 is referred to the committee on Retrenchment and Reform.

Mr. Norment offers a resolution in regard to the contested election case from Bertie county, which is ruled out of order by the Speaker pro tem., and returned to the introducer.

By consent,

Mr. Norment offers a resolution in favor of Augustus Robbins, which is placed on the Calendar.

S. R. 353, H. R. 234, a resolution in favor of Jesse Hathcock, is taken up.

Mr. Turner moves to amend by striking out "fifty" and inserting "sixty."

The amendment is rejected, and the resolution passes its several readings and is ordered to be enrolled for ratification.

S. R. 459, H. R. 223, a resolution providing for aid for the Ophan Asylum at Oxford, N. C., is taken up.

Mr. Atkinson offers the following amendment, which is rejected :

"*Provided*, That this amount shall be paid out of the Agricultural Department."

Pending further consideration of the bill, the

SPECIAL ORDER,

being

S. B. 232, H. B. 951, a bill to incorporate the Wilmington, Charlotte & Western Railroad Company, is announced.

On motion, the special order is postponed until the matter before the House is disposed of.

On the call of Mr. Jones, the previous question is ordered.

The question then recurs on the following amendment of Mr. Cary, of which previous notice was given, and it is rejected :

"*Provided further*, That an Asylum be established at the same place for the benefit of the colored orphan children in the State that have no friends to take care of them : *Provided further*, That the Superintendent of the Asylum at Oxford be authorized by this act, under the supervision of the State Board of Education, to build said Asylum, not to exceed $2,000, for the benefit of the colored race."

The resolution then passes its second reading. Under a suspension of the rules, the resolution is put on its third reading.

On the call of Mr. Jones, the previous question is ordered, and the resolution passes its third reading and is ordered to be enrolled for ratification.

THE SPECIAL ORDER

is again announced, being

S. B. 232, H. B. 951.

On motion of Mr. Jones, the consideration of it is postponed for five minutes, and,

By consent,

Mr. Jones introduces a bill to amend section 1, chapter 1, acts 1872–73, and section 1, chapter 255, acts of 1876–'77, which is placed on the Calendar.

The consideration of the

SPECIAL ORDER

being

S. B. 232, H. B. 951, is resumed.

Mr. Jones offers an amendment.

Mr. Mebane moves to lay the whole matter on the table and upon that motion demands the ayes and nays.

The call is sustained and the bill is laid on the table by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Barringer, Bateman, Bingham, Blaisdell, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Burroughs, Carroll, Cary, Christmas, Click, Council, Covington, Davis of Catawba, Davis of Haywood, Davis of Madison, Dixon, Dunn, English, Gatling, Goldston, Grant, Harrison, Hewett, Hines, Hobbs, Holt, Horton, Huffstetler, Jones, Johnson, Leatherwood, Lewis, Lockhart, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Taylor, Wheeler, Wimberly, Woodhouse, Wynne, and York—69.

Nays—Messrs. Atkinson, Carter of Yancey, Lamb, Turner, and Young—4.

THE SECOND SPECIAL ORDER,

being

S. R. 338, H. R. 222, a resolution in favor of W. W. Rollins, is taken up, passes its several readings and is ordered to be enrolled for ratification.

THE CALENDAR IS RESUMED,

and

H. B. 906, a bill to define the line between the counties of Bladen and Columbus, is taken up.

Mr. Newell offers an amendment which is rejected.

The question is on the passage of the bill on its second reading, and it passes.

Mr. Ellison, it is announced, is detained from his seat by sickness.

A message is sent to the Senate asking the return of

H. B. 848, a bill in relation to the public school law.

Under a suspension of the rules,

H. B. 906, a bill to define the line between the counties of Bladen and Columbus, is put upon its third reading.

The bill fails to pass its third reading, a quorum not voting.

The motion is renewed by Mr. Richardson of Columbus, who demands the ayes and nays.

The bill then passes by the following vote, and is ordered to be engrossed and sent to the Senate:

Ayes—Messrs. Amis, Anderson, Angier, Armstrong, Atkinson, Barringer, Bateman, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Yancey, Click, Cobb, Colwell, Council, Covington, Davis of Haywood, English, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Mebane, Moore, McCorkle, McLean, Oliver, Orchard, Paxton, Powers, Rawley, Reid of

Macon, Reid of McDowell, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Woodhouse, York, and Young—56.

Nays—Messrs. Battle, Christmas, Clarke, Harrison, Newell, Pettipher, Reynolds, Scott, and Wimberly—9.

By consent,

Mr. Woodhouse introduces a resolution in favor of the Engrossing Clerk of the House, which is placed on the Calendar.

Mr. Reid of Macon, moves to reconsider the action of the House in regard to the adoption of the report of the committee of conference in relation to the Treasurer of the Institution for the Deaf, Dumb and the Blind, with a view to an explanation from Mr. Council in regard to the action of the committee.

Mr. Bost moves to lay the motion to reconsider on the table.

Mr. Norment calls the ayes and nays, and the call being sustained, the motion to table prevails by the following vote, Mr. Speaker Moring giving the casting vote in the affirmative:

Ayes—Messrs. Angier, Ardrey, Armstrong, Bost, Brown of Mecklenburg, Bryson, Buchan, Carroll, Chadwick, Cobb, Colwell, Covington, Davis of Haywood, English, Foard, Forbes, Gatling, Goldston, Grant, Hines, Huffstetler, Jones, Johnston, Lamb, Lewis, Mebane, Moore, McCorkle, McLean, Oliver, Orchard, Powers, Rawley, Richardson of Columbus, Ritchey, Smith, Taylor, and Wheeler—38.

Nays—Messrs. Atkinson, Battle, Bingham, Blocker, Bonner, Burroughs, Cary, Christmas, Clarke, Cooke, Council, Dixon, Dunn, Harrell, Hobbs, Holt, Horton, Lockhart, Lowry, Lutterloh, Miller, McGehee, Newell, Norment, Osborne, Paxton, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Scott, Wimberly, Wynne, York, and Young—38.

Mr. McGehee moves to take from the table

S. B. 703, H. B. 976, a bill to create a railroad commissioner for the State, &c.

The motion fails on a division by a vote of ayes 36, nays 35, not a two-thirds vote of the House.

Mr. Woodhouse, by consent, introduces a resolution requesting our members of Congress to secure an appropriation for the improvement of Croatan Sound, which is placed on the Calendar.

Under a suspension of the rules the resolution passes its several readings and is ordered to be engrossed and sent to the Senate.

S. B. 401, H. B. 900, a bill providing for the maintenance of lunatics outside of the Asylum, is taken up on its third reading.

On the call of Mr. York, the previous question is ordered.

On motion of Mr. Norment, the ayes and nays are ordered on the final passage of the bill.

And the bill passes by the following vote:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Buncombe, Carroll, Cary, Chadwick, Colwell, Council, Davis of Haywood, English, Etheridge, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Jones, Johnson, Lamb, Leatherwood, Lindsay, Lutterloh, Mebane, McCorkle, McGehee, McLean, Oliver, Orchard, Paxton, Rawley, Reid of Macon, Reid of McDowell, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, and York—50.

Nays—Messrs. Battle, Bingham, Christmas, Clarke, Cobb, Cooke, Davis of Catawba, Dunn, Forbes, Foster, Hines, Hobbs, Horton, Huffstetler, Lewis, Lockhart, Lowry, Miller, Newell, Norment, Osborne, Pettipher, Powers, Reynolds, Richardson of Columbus, Scott, Turner, Wimberly, Woodhouse, Wynne, and Young—31.

Mr. English is added to the committee on Enrolled Bills.

S. B. 419, H. B. 825, a bill to incorporate the town of Saul's Cross Roads, Wayne county, is taken up and passes its third reading by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Barringer, Bateman, Battle, Blocker, Bost, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Christmas, Colwell, Council, Davis of Haywood, Deans, Etheridge, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Hobbs, Holt, Horton, Johnson, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Miller, Moore, McCorkle, McGehee, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Smith, Taylor, Turner, Wheeler, Wimberly, Wynne, and Young —63.

Nays—None.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting, for concurrence,

S. B. 867, a bill supplemental to an act creating the State Board of Health;

S. B. 864, a bill to amend an act to define "false pretense;"

Also, engrossed Senate amendments to

H. B. 708, S. B. 846, a bill to provide for the laying off of a road from Quaker bridge, Jones county, to a point near Tar River landing, Onslow county.

They are read for the first time in this House, and

S. B. 867 and 864 are placed on the Calendar, and the amendments to

H. B. 708, S. B. 846, are concurred in.

S. B. 864, H. B. 1,010, a bill to amend an act to define false pretense, ratified the 11th day of March, 1879, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 785, H. B. 992, a bill supplemental to an act to compromise, commute and settle the State debt, passed at the present session, is taken up.

Mr. Atkinson sends forward an amendment which is ruled out as not being germane.

Mr. Ritchey offers an amendment, which is rejected.

Mr. Turner moves to strike out "$800" and insert $300," and the motion does not prevail.

The question is on the passage of the bill, and it passes its second and third readings and is ordered to be enrolled for ratification.

H. B. 700, a bill to relieve sheriffs in certain cases and to prevent the sacrifice of property at execution sales, passes its several readings and is ordered to be engrossed.

H. B. 1,009, a bill to amend section 1, chapter 1, of the acts of 1872–'73, and section 1, chapter 255, acts of 1876–'77, passes its several readings, and is ordered to be sent to the Senate without engrossment.

H. B. 757, a bill to incorporate the North Carolina Baptist Sunday School Convention, is taken up and passes its several readings and is sent to the Senate for concurrence without engrossment.

By consent,

Mr. Cooke, from the committee on the Judiciary, submits a majority report on

S. B. 341, H. B. 826, a bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State (not special tax,) recommending its passage.

S. B. 461, H. B. 729, a bill to authorize the commissioners of Greene county to levy a special tax, is taken up on its third reading, passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Carter of

Buncombe, Carter of Yancey, Carroll, Carson, Chadwick, Clarke, Cobb, Council, Davis of Catawba, Davis of Haywood, Dunn, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hobbs, Holt, Huffstetler, Jones, Jonhnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McCorkle, McGehee, McLean, Oliver, Orchard, Osborne, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, York, and Young—67.

Nays—Messrs. Christmas and Norment—2.

S. B. 538, H. B. 915, a bill to be entitled an act to incorporate the town of Roxboro, Person county, passes its third reading by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Cobb, Cooke, Covington, Davis of Catawba, Davis of Haywood, Deans, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hobbs, Holt, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lowry, Lutterloh, Mebane, Miller, Moore, McCorkle, McGehee, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, and Young—69.

Nays—None.

S. B. 330, H. B. 554, a bill to repeal chapter 126, laws of 1874-'75, and to allow certain townships to determine for themselves the question of prohibition, is taken up.

Mr. Scott offers an amendment, which is adopted, but subsequently withdrawn, and the bill then passes its several readings and is ordered to be enrolled for ratification.

S. B. 641, H. B. 1,004, a bill supplementary to an act to

allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad, passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Buncombe, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Cobb, Cooke, Council, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dunn, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Hobbs, Holt, Huffstetler, Jones, Johnson, Leatherwood, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Paxton, Pettipher, Powers, Rawley, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, Wimberly, Woodhouse, York, and Young—69.

Nay—Mr. Lowry—1.

Mr. Cooke moves to reconsider the vote by which

S. B. 330, H. B. 554, passed its third reading;

Reconsideration is had but the bill subsequently passes its third and final reading, and is ordered to be enrolled for ratification.

S. B. 333, a bill to provide a fund for the payment of jurors, and

S. B. 829, a bill to complete the indexing of the records in the Secretary of State's office, both pass their several readings and are ordered to be enrolled for ratification.

By consent,

Mr. Richardson of Wake, introduces a resolution to amend the resolution passed in 1876–77 in regard to the capitol grounds; and

Mr. Mebane, a resolution in favor of the Reading Clerk of the House, both of which are placed on the Calendar.

S. B. 341, a bill to authorize the State Treasurer to exchange the stock of the State in the Albemarle and Chesa-

peake Canal for the bonds of the State (not special tax) is put on its readings.

On the passage of the bill on it its second reading Mr. Jones calls the ayes and nays; the call is sustained and the bill fails to pass by the following vote:

Ayes—Messrs. Angier, Ardrey, Barringer, Blocker, Brown of Mecklenburg, Buchan, Carson, Davis of Catawba, Deans, Foard, Forbes, Gatling, Goldston, Huffstetler, Lutterloh, Meares, Moore, McGehee, McLean, Orchard, Paxton, Rawley, Reid of Macon, Richardson of Columbus, Smith, Wheeler, and Woodhouse—27.

Nays—Messrs. Anderson, Armstrong, Atkinson, Battle, Bost, Bryson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Cooke, Davis of Haywood, Davis of Madison, Foster, Hines, Hobbs, Holt, Jones, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Mebane, Newell, Pettipher, Powers, Reid of McDowell, Reynolds, Richardson of Wake, Ritchey, Scott, Turner, Wimberly, York, and Young—38.

Mr. Cooke moves to reconsider the vote by which the bill fails to pass and the motion to reconsider fails.

H. R. 227, a resolution to pay the expenses of the committee to investigate the W. N. C. R. R. passes and is sent to the Senate without engrossment.

A MESSAGE FROM THE SENATE IS ANNOUNCED

transmitting Senate amendments to

H. B. 766, a bill to amend an act to establish a department of agriculture, and to increase sheep husbandry, and Senate amendments to

H. B. 1,009, a bill to amend section 1, chapter 1, laws of 1872–'73, and section 1, chapter 255, laws of 1876–'77.

The amendments are concurred in, and the bills are ordered to be enrolled for ratification.

Mr. Lockhart, by consent, introduces a resolution in favor of certain witnesses in the case of the State against G. W.

Swepson, which by consent, is put on its several readings and passes, and is engrossed and sent to the Senate.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. B. 700, a bill to relieve sheriffs in cetain cases.

The amendments are concurred in, and the bill is ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 866, a bill to drain certain lands in Lincoln county, which, on motion of Mr. Cobb, is put on its readings and passes, and is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is announced, proposing the appointment of a committee of conference on the Revenue bill.

On motion of Mr. Cobb, the House concurs in the proposition, and the Speaker appoints the following as the House branch of the committee:

Messrs. Brown of Mecklenburg, Richardson of Columbus, McGehee, Lockhart and Deans.

Messrs. Amis and Rawley are announced as added to the committee on Enrolled Bills.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting a correctly engrossed copy of

S. B. 477, a bill to provide a suitable mansion for the Governor, and to abolish the clerkship in the Executive office, and asking concurrence in the substitution.

Concurrence in the substitute was had and the bill ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 870, a resolution to print the captions of acts of this General Assembly, which is at once placed on its readings, passes and is ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting engrossed Senate amendments to

H. B. 882, a bill supplemental to an act passed at the present session of the General Assembly, to prevent live stock running at large in Rowan and other counties.

Concurrence is had in the amendments, and the bill is ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 581, a bill to amend the act to prevent live stock running at large in the county of Mecklenburg and in certain townships in Cabarrus county, which is placed on the Calendar.

Senate amendments to

H. B. 731, a bill to amend the charter of the town of Concord.

The House refuses to concur in the amendments.

Mr. Orchard asks for a committee of Conference, and the Speaker appoints the following gentlemen as the House branch of said Committee: Messrs. Foard, Orchard, Ardrey, Brown of Mecklenburg, and Huffstetler.

A MESSAGE FROM THE SENATE IS RECEIVED

transmitting

S. B. 671, a bill to provide for the payment of debts due by Wilmington township, in the county of New Hanover, which is placed on the Calendar.

A MESSAGE IS RECEIVED FROM THE SENATE

informing the House that the Senate refuses to concur in House amendments to Senate substitute for

H. B. 930, a bill for the support of the Penitentiary for the years 1879-'80, asking for a committee of Conference, and announcing Messrs. Dortch, W. A. Graham and Caldwell as Senate branch of said Committee.

A MESSAGE IS RECEIVED FROM THE SENATE

informing the House that the Senate had passed

H. R. 228, a resolution to adjourn at 12 o'clock M., on Friday the 14th inst.; also engrossed Senate amendments to

H. B. 700, a bill to relieve sheriffs in certain cases and to prevent sacrifice of property under execution sales, asking the concurrence of the House therein.

On motion, concurrence is had and the bill ordered to be enrolled for ratification.

ANOTHER MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. B. 766, a bill to authorize the commissioners of Lincoln to levy a special tax; and Senate amendments to

H. B. 1,009, a bill to amend section 1, chapter 1, acts 1872-'73, and section 1, chapter 255, acts of 1876-'77.

Concurrence was had in the amendments and the bills ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. R. 869, a resolution in favor of the Engrossing Clerks and the Enrolling Clerks of the General Assembly; and

S. R. 870, a resolution in favor of the Reading Clerks of the Senate and House of Representatives; and they are placed on the Calendar.

The House then adjourned until to-night at half-past seven o'clock.

Evening Session.

House of Representatives,
Wednesday, March 12th, 1879.

The House meets this evening at half-past seven o'clock, and is called to order by Mr. Speaker Moring.

THE CALENDAR

is taken up.

S. B. 768, a bill for the more speedy procurement of the right of way for the Winston, Salem and Mooresville Railroad, and for the better protection of land owners over whose land the said road passes;

S. B. 581, a bill to prevent live stock from running at large in the county of Mecklenburg and certain townships in Cabarrus county; and

S. B. 901, a bill to incorporate the Cotton and Grocers'

Exchange in the city of Raleigh, pass their several readings and are ordered to be enrolled for ratification.

H. B. 857, a bill to amend chapter 129, private laws of 1874–'75, passes its several readings and is ordered to be engrossed.

H. B. 887, a bill to fix the number and regulate the appointment of directors of the Cape Fear and Yadkin Valley railroad, is put on its readings.

A substitute offered by Mr. York is adopted.

And the bill as substituted passes and is ordered to be sent to the Senate without engrossment.

H. B. 1,001, a bill concerning the internal improvement of Beaufort and Craven counties, is put on its readings and passes and is ordered to be engrossed.

H. B. 787, a bill for the protection of the pupils of the N. C. Institute for the deaf, dumb and the blind, and for other purposes therein contained.

Mr. Atkinson moves to lay the bill on the table.

On which motion, the question is put and lost.

On motion of Mr. Richardson of Columbus, it is

Resolved, That a committee of three be appointed by the Speaker.

And under the motion, the Speaker appoints Messrs. Richardson of Columbus, Atkinson and Foard.

H. B. 852, a bill for the protection of hotel keepers or of any place of public entertainment.

Mr. Foard moves to lay the bill on the table, but withdraws the motion for discussion, but renews the motion, and the motion prevails and the bill is laid on the table.

Mr. Anderson moves to reconsider the vote by which

S. B. 341, H. B. 826, a bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State (not special) failed to pass.

After discussion, the question is put, and reconsideration is had, and the bill passes its second reading and goes to its third reading.

Mr. Turner offers the following amendment:

Amend by adding after the last word in section one, the following:

"Citizens of North Carolina, original holders of old bonds or their heirs shall be first allowed to exchange to the extent of their bonds."

On the passage of the bill, Mr. Anderson demands the previous question.

The call is sustained and the main question ordered.

The question is put on the amendment of Mr. Turner and it is rejected; and the question then recurs on the passage of the bill, and the bill passes and is ordered to be enrolled for ratification.

On motion of Mr. Norment, the House takes a recess for fifteen minutes for the purpose of presenting to Speaker Moring a testimonial of the high consideration of the House towards its presiding officer. The Speaker vacated the Chair, when Mr. Cobb arose and said:

Mr. Moring:—A more pleasant duty than the one that has been placed on me to-night seldom falls into the life of any man.

I have been selected by mutual friends to convey to you a testimonial of their appreciation of the valuable service you have done as Speaker of this House, and of their affectionate regard for you as a man. Your kind forbearance under most trying circumstances, your impartial, fair treatment of all, your firmness of decision, and above all your familiar knoledge of parliamentary law have made this session, now almost gone, pleasant to the members and of

great good to the State, and have illustrated the wisdom of our choice and thus reflected honor upon ourselves.

Recognizing these facts, the members of the House have instructed me to present this watch to you. It will ever remind you that those of both political parties who have watched you closely unite in this expression of respect and esteem, and for thanks of the able service you have done. When the wheels of time shall have carried your life to a close of usefulness, you can look back to this night with pride and honest satisfaction, for I beg leave to assure you that you carry with you the confidencee and high regard of all.

In response to the remarks of Mr. Cobb, Mr. Speaker Moring said:

Gentlemen of the House of Representatives:

With sincerest thanks I accept this testimonial of your kindness, presented in language so eloquent and feeling by my friend from Lincoln.

For one to know that he has been approved by those who have the right to sit in judgment upon his conduct, is matter of highest congratulation. I thank you for bestowing such a compliment upon me by your action to-night. It may be that this House in their kindness to me have been partial, but my return shall be none the less grateful.

I can truthfully say that this body has given me invaluable aid as its Speaker in enforcing its rules and forwarding the public business, and I trust you will allow me to add that I have sincerely endeavored to hold the gavel impartially.

The hands upon this dial plate will soon point the hour when the gavel sound shall mark the close of the session of 1879, but when we shall have vacated this hall, in after years many will be the times that in memory I shall sit

in *that chair*, and look upon the upturned faces of my friends who to-night surround me.

Not oftener shall this souvenir tell me the time of day, than in memory I shall revert to its donors.

The House re-assembles; and Mr. Foard, from the special committee of three on S. B. 381, makes a report both on the part of the majority of the committee and on behalf of the minority, represented by Mr. Atkinson.

The question is put on the report of the majority and it is adopted.

Mr. Bost offers an amendment which is ruled out by the Speaker as not germane to the bill.

And the question is then put on the bill, which passes, and is ordered to be sent to the Senate with engrossed amendment.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

Engrossed amendment to

S. B. 367, H. B. 948, a bill to enable the city of Wilmington to pay its present indebtedness, &c.

Engrossed amendments to

S. B. 781, H. B. 1,016, a bill for the better protection of the pupils of the N. C. Institute for the Deaf, Dumb and Blind and for other purposes therein contained.

H. B. 732, a bill for the benefit of Wm. H. Poulson, Elisha Piland and Jas. T. Powell.

By consent,

Mr. Reid of Macon, introduces a bill to remove incurables from the Insane Asylum and to provide for the curable, which is placed on the Calendar.

Mr. Davis moves to reconsider the vote by which

S. B. 781 passed its third reading and to lay that motion on the table; and the motion to table prevails.

S. B. 367, a bill to enable the city of Wilmington to pay

its present bonded indebtedness and to provide for its bonds maturing in the years 1879-'80, passes its third reading by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Angier, Ardrey, Armstrong, Barringer, Bateman, Blocker, Bost, Brown of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Cobb, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Deans, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Henderson, Huffstetler, Jones, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McLean, Norment, Oliver, Orchard, Osborne, Pettipher, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, and Young—65.

Nays—Messrs. Atkinson, Battle, Dunn, Newell, Paxton, and Waddell—6.

On motion of Mr. Norment,

H. R. 239, a resolution in favor of Augustus Robbins, is taken up, and,

On motion of Mr. Cooke, the matter is postponed until to-morrow at 11 o'clock.

Mr. Holt rises to a question of personal privilege in relation to a message received by him from Dr. Eugene Grissom, Superintendent of the Asylum for the Insane, intended to influence his action as a member of this House in certain legislation in reference to the Insane Asylum.

Mr. Carter of Warren, moved to reconsider the vote by which

S. B. 581, a bill in relation to the running at large of live stock in the counties of Mecklenburg and Cabarrus, was passed.

Reconsideration is had, and, on motion of Mr. Christmas,

section 2 is stricken out, and the bill again passes and is sent back to the Senate for concurrence.

S. B. 860, a bill to alter the constitution of North Carolina concerning the debt of the State, is put on its second reading and passes by the following constitutional majority:

Ayes—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Cary, Chadwick, Christmas, Clarke, Cobb, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Davis of Madison, Dunn, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Wheeler, Woodhouse, York, and Young—74.

Nay—Mr. Waddell—1.

The bill is put on its third reading and passes by the following vote, being a majority of three-fifths of the whole number of this House:

Ayes—Mr. Speaker, Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Blocker, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Carroll, Chadwick, Christmas, Clarke, Cobb, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Deans, Dunn, English, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McGehee, McLean, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus,

Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Wheeler, Woodhouse, York, and Young—75.

Nays—None.

S. B. 207, H. B. 91, a bill to amend sub-section 9 of section 33, Code of Civil Procedure, passes its several readings and is ordered to be enrolled.

Mr. Turner moves to reconsider the vote by which S. B. 860 passed this House; and the House refuses to reconsider.

S. B. 471, a bill to authorize the Commissioners of Goldsboro to issue bonds to raise money for the erection of a market house, passes its third reading by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bost, Brown of Mecklenburg, Bruce, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Chadwick, Cobb, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Deans, Dunn, English, Etheridge, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Hines, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Wheeler, Wimberly, Woodhouse, Wynne, York, and Young—71.

Nays—None.

S. B. 827, a bill to collect arrears of taxes in the county of Halifax, passes its several readings, and is ordered to be enrolled for ratification.

H. B. 732, a bill for the relief of W. H. Poulson, Elisha Piland, three one armed soldiers of Gates county, is put on its readings.

Mr. Turner moves to amend by striking out "legs" and inserting arms, which is adopted; and the bill as amended passes its several readings and is ordered to be engrossed.

H. B. 385, a bill to amend chapter 87, laws of 1876-'77,

establishing a Chamber of Commerce for the city of Newbern, passes its several readings and is ordered to be engrossed.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 824½, a bill to allow drainage and cleaning out of Reed's Fork Creek and Haw river, which is placed on the Calendar; also

S. B. 888, a bill to provide for recording the deed made by Elias Stallings to James Denby and Jacob Jones, commissioners for the Baptist Society of Franklin county. The bill is put upon its passage, passes its several readings, and is ordered to be enrolled for ratification.

Mr. Cobb rises to a question of personal privilege in relation to a matter connected with the contested case from Robeson county.

On motion of Mr. Rawley,

S. B. 824½, a bill to allow drainage and cleaning out of Reed's Fork Creek and Haw river, is taken up and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bonner, Bost, Brown of Mecklenburg, Bryson, Buchan, Carter of Buncombe, Carter of Yancey, Christmas, Clarke, Colwell, Davis of Catawba, Davis of Haywood, English, Etheridge, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, Wimberly, Wynne, York, and Young—63.

Nays—None.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

The report of the committee of conference upon Senate substitute for

H. B. 930, S. B. 780, a bill to provide for the support of the Penitentiary for the years 1879–'80, asking the concurrence of the House in the same.

And on motion of Mr. Carter of Buncombe, concurrence is had.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting the following bills, which are placed on the Calendar:

S. B. 784, a bill to authorize the county commissioners of Brunswick county to levy a special tax for the years 1879 and 1880;

S. B. 601, a bill to incorporate the Ocean Fish Company of Washington, N. C.;

S. B. 708, a bill to apportion the convicts among the various works of internal improvements of the State;

S. B. 691, a bill to amend an act in the corporation of the town of Washington, N. C.;

S. B. 736, a bill to prevent the extermination of wild turkeys in Robeson county;

S. B. 369, a bill to settle disputes and to lighten the expense of litigation.

S. B. 546, a bill to secure convict labor to build public roads in Beaufort and Pamlico counties.

Mr. Carter of Buncombe, moves to suspend the rules and take up

S. B. 708, a bill to apportion the convicts among the various works of internal improvements of the State; and the motion prevails.

The bill then passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 784, a bill to authorize the commissioners of Brunswick county to levy a special tax, &c., is taken up, and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Cary, Christmas, Clarke, Cobb, Colwell, Davis of Haywood, Deans, English, Etheridge, Foard, Foster, Foy, Gatling, Grant, Harrell, Harrison, Holt, Huffstetler, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Oliver, Orchard, Osborne, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Taylor, Wheeler, Wimberly, Wynne, and York—61.

Nays—None.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 782, a bill to regulate the attendance of superior court clerks at their offices.

The bill was read for the first time in this House and at once put on its passage.

On a division it passes its second reading by a vote of ayes 33, nays 28.

Coming on its third reading, under a suspension of the rules, the bill fails to pass, on a division, by a vote of ayes 23, nays 39.

A MESSAGE IS RECEIVED FROM THE SENATE

informing the House that the Senate had passed amendments, engrossed copies of which are transmitted, to

H. B. 592, S. B. 787½, a bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company.

The amendments are concurred in and the bill ordered to be enrolled for ratification.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 373, a bill to incorporate the town of Keyser, Moore county, and asking the concurrence of the House.

The bill is read for the first time in this House and is put on its passage and passes its second reading by the following vote:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Bateman, Battle, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Yancey, Cary, Christmas, Clarke, Cobb, Cooke, Davis of Catawba, Davis of Haywood, Deans, English, Etheridge, Foard, Forbes, Foster, Gatling, Goldston, Grant, Harrell, Harrison, Holt, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McLean, Newell, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Waddell, Wheeler, Wimberly, York, and Young—69.

Nays—None.

A MESSAGE FROM THE SENATE

is received transmitting

S. R. 862, a resolution in favor of D. W. Furman and Jno. C. Syme.

The resolution is read the first time in this House and at once placed on its several readings and passes, and is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is received transmitting

S. B. 865, a bill concerning the out-house of the Capitol.

The bill is read the first time in this House and is at once placed on its passage, and passes its several readings and is ordered to be enrolled for ratification.

A MESSAGE FROM THE SENATE

is received transmitting the following resolutions and asking the concurrence of the House:

S. R. 874, a resolution in favor of the pages; and

S. R. 863, a resolution in favor of D. S. Sides, of Rowan county.

They are read for the first time in this House and

S. R. 863 passes its several readings and is ordered to be enrolled for ratification; and

S. R. 874 is placed on the Calendar.

A MESSAGE FROM THE SENATE

is received informing the House that the Senate had concurred in the proposition of the House for a committee of Conference on

H. B. 731, S. B. —, a bill to amend the charter of the town of Concord, and naming Messrs. Everett, Scales and Davidson as the Senate branch of said Committee.

A MESSAGE FROM THE SENATE

is received transmitting

S. B. 467, a bill to incorporate Shiloh Camp Ground, Gaston county.

The bill is read for the first time in this House and placed on the Calendar.

A MESSAGE FROM THE SENATE

is received transmitting

S. R 539, a resolution in favor of Noah H. Rice, and asking the concurence of the House, which is read for the first time in this House and placed on the Calendar.

S. B. 765, H. B. 1,003, a bill to regulate the fees of certain county officers in Pitt county, is taken up and passes its several readings, and is ordered to be enrolled for ratification.

Mr. Turner moves to suspend the rules and take up a resolution offered by himself yesterday.

The motion did not prevail.

On motion of Mr. Davis of Catawba,

S. B. 867, H. B. 1,014, a bill supplemental to an act creating a State Board of Health, is taken up and made special order for to-morrow the 13th.

On motion, the House adjourns until to-morrow morning at 10 o'clock.

FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
THURSDAY, March 13th, 1879.

The House meets at 10 o'clock, A. M., Mr. Speaker Moring in the Chair, and is opened with prayer by Rev. Mr. Norman of the city.

The reading of the Journal of yesterday is dispensed with and it stands as approved.

INTRODUCTION OF PETITIONS.

Mr. Richardson of Columbus, a petition from members of Potter Swamp Church, of Columbus county, asking a prohibitory law, which is referred to the committee on Propositions and Grievances.

REPORTS OF COMMITTEES.

Mr. Richardson, from the committee on Finance, reports unfavorably on

H. R. 94, a resolution in favor of Gaston county; on

H. B. 274, a bill to increase State and county revenue; on

H. B. 514, a bill concerning wholesale dealers in spirituous liquors and regulating the tax thereon; on

H. B. 59, a bill to regulate the privilege tax on public ferries.

Mr. Atkinson, from the committee on Retrenchment and Reform, reports unfavorably on

H. B. 793, a bill to repeal chapter 242, laws of 1876–'77, an act to establish a criminal court for New Hanover county; and

Mr. McLean, from the same committee, reports favorably on

S. B. 642, a bill to re-enact chapter 227, laws of 1876–'77, authorizing the county commissioners of New Hanover to levy a special tax.

INTRODUCTION OF RESOLUTIONS.

By Mr. Richardson of Wake,

A resolution in favor of P. McGowan, which is placed on the Calendar; and

By Mr. Turner,

A resolution concerning the indictment of R. Y. McAden and others, which is also placed on the Calendar.

INTRODUCTION OF BILLS.

The following bills are introduced and placed on the Calendar:

By Mr. Richardson of Columbus,

A bill to prevent the destruction of black fish in White Marsh, Columbus county;

By Mr. McGehee,

A bill to farm out convicts to the Narrow Guage Railroad; and

By Mr. Cooke,

A bill to provide for submitting to the people the constitutional amendment on the subject of the support of deaf mutes and the blind, &c.; and

By Mr. Cooke,

A bill to amend an act to amend the charter of the town of Pittsboro, ratified March 12th, 1879.

S. B. 784, H. B. 981, a bill to amend chapter 97, Battle's Revisal, concerning the printing of the public laws, is taken up and passes its several readings and is ordered to be enrolled for ratification.

S. B. 600, H. B. 979, a bill to amend chapter 202, laws of 1874–'75, to protect the State's interest in railroads, is taken up and passes its several readings, and is ordered to be enrolled for ratification.

Mr. Turner offers a protest, which is ruled as inadmissable by the Speaker, and, on motion of Mr. Woodhouse the protest is returned to the introducer.

Mr. Turner offers the following protest, which is ordered to be spread on the Journal:

Josiah Turner, a member from Orange, protests against the passage of Senate bill allowing a board of trade in the city of Raleigh to adopt for their government such rules

and by-laws as they may deem proper, not inconsistent with the Constitutions of the State or the United States. He submits that such legislation is too general, vague and indefinite, and all corporations should ask specifically for what they want and not be allowed to legislate for themselves.

The committee on Enrolled Bills reports as correctly enrolled:

An act to prohibit fishing in Coneta creek, Pitt county;

An act to aid in the completion of the Asheville and Spartansburg railroad;

An act to fund the floating debt of Edgecombe county;

An act to charter the Thomasville and Albemarle Railroad Company;

An act to consolidate the town of Winston and Salem, N. C.;

Resolution to our Senators and members in Congress requesting them to procure an appropriation to make Lumber river navigable;

An act for the relief of land owners whose land has been sold to the State for taxes;

An act to incorporate the Globe Gold Company of North Carolina;

An act to amend an act passed at this session of the General Assembly entitled an act to prevent the desecration of the Sabbath day;

An act to authorize the Western North Carolina Railroad Company to contract for the building of certain bridges;

An act to protect fish in certain streams in the county of Duplin;

An act to incorporate the Roxboro and Narrow Gauge Railroad;

An act to provide commutation for Edward D. Gaddy and W. Allen, disabled Confederate soldiers;

An act to amend sections 3 and 4 of chapter 80 of Battle's Revisal;

An act to authorize the county commissioners of Chowan to levy a special tax;

Resolution in favor of principal clerks of the Senate and House of Representatives;

An act for the more effectual punishment of horse-stealing;

An act to incorporate the Pungo and Alligator Rivers Canal Company;

An act to ascertain and audit the debts of Cleaveland county;

An act to provide for filling vacancies in boards of county commissioners;

An act to amend an act to define false pretense;

An act to authorize Granville county to fund its debt;

An act to submit the question of the sale of spirituous liquors to the voters in the town of Reidsville, Rockingham county;

An act to authorize the commissioners of Richmond county to levy a special tax;

An act to establish cotton weighers for the towns of Goldsboro, Kinston and Newbern;

An act to incorporate Smith Bridge High School Joint Stock Company of Macon county;

An act relating to roads and highways;

An act to amend capter 87, sections 34, 35, 36 and 37 of Battle's Revisal;

An act to establish Normal schools;

An act to amend chapter 163, laws of 1871–'72;

An act to extend the time to redeem land sold for taxes and bought by the State;

An act to incorporate Aurora Lodge, No. 108, I. O. G. T, of Warrenton, N. C.;

An act to incorporate Stonewall Lodge, No. 99, Independent Order of Odd Fellows;

An act to protect holders of policies in Fire Insurance companies in the State;

An act to repeal all and any acts or parts of acts, creating, recognizing or continuing in existence the Western Division of the Western North Carolina Railroad, and for other purposes;

An act to prevent the selling or giving away of spirituous liquors at public political speakings;

An act to incorporate the town of Manly Station in the county of Moore;

An act to amend sections 24 and 25, chapter 49, laws of 1876–'77;

An act to amend chapter 63, of laws 1874–'75, it being the act to change the dividing lines between the counties of Franklin and Granville;

An act to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad;

An act to amend section 156, chapter 32, Battle's Revisal;

An act to provide for the registration of certain deeds and other instruments of writing;

An act to incorporate the Aetna Gold Company, of North Carolina;

An act to prevent the enticing of seamen from vessels;

An act concerning civil actions for the recovery of debts contracted for the purchase of land;

An act to amend section 1, chapter 196, laws of 1876–'77;

An act to allow the citizens of Jackson county to pass through toll gates of Macon county free; also to allow the citizens of Macon county to pass through toll gates of Jackson county free;

An act to incorporate the Bank of Asheville;

Resolution in favor of D. W. Furman and John C. Syme, Assistants to the Principal Clerks of the Senate and House of Representatives;

An act to amend the Constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State;

Resolution in favor of the Reading Clerks of the Senate and House of Representatives;

A resolution to print captions of acts and resolutions of the General Assembly;

A resolution in favor of the Engrossing and Enrolling Clerks of this General Assembly;

An act to prohibit the sale of intoxicating liquor in certain localities.

Mr. Woodhouse, from the committee on Engrossed Bills, reports the following House bills to have been correctly engrossed, and they are transmitted to the Senate for concurrence:

H. R. 242, resolution of instruction to our Senators and Representatives in Congress to aid in appropriation to deepen and widen the rivers and sounds of Eastern North Carolina;

H. B. 857, bill to amend chapter 129, private laws of 1874–'75:

H. B. 385, bill to establish a chamber of commerce for New Berne;

H. B. 959, bill to protect fish interests of North Carolina;

H. B. 1,001, bill concerning the internal improvement of Beaufort and Craven county.

H. B. 1,031, S. B. 865, a bill concerning the out-house of the Capitol, passes its second and third readings and is ordered to be enrolled for ratification.

S. B. 769, H. B. 1,015, a bill to change the dividing line between the counties of Ashe and Wilkes, passes its several readings and is ordered to be enrolled for ratification.

S. B. 640, H. B. 1,017, a bill to amend chapter 242, of the laws of 1876–'77; and

S. B. 231, H. B. 911, a bill to protect fish, &c., pass their several readings, and are ordered to be enrolled for ratification.

S. R. 161, H. R. 203, a resolution in regard to indexing

the Journals is taken up, passes its several readings and is ordered to be enrolled for ratification.

By consent, Mr. McGehee introduces the following bill:

A bill to farm out convicts to the Roxboro Narrow Guage Railroad, which is put upon its readings, passes its second and third reading and is ordered to be sent to the Senate without engrossment.

S. B. 492, H. B. 913, a bill to cure irregularities in certain judicial proceedings, wherein some or all of the defendants named in the summons, &c., passes its second reading without objection, goes to its third reading, passes, and is ordered to be enrolled for ratification.

H. B. 959, a bill to protect the fish interests of North Carolina, is taken up on its third reading.

Mr. Clarke sends forward the following amendment, which is adopted:

Amend by inserting the following proviso: "*Provided*, the clause prohibiting the drawing of two seines at one landing at the same time, shall only apply to streams where the seines reach more than half-way across."

And the bill then passes its third reading and is ordered to be engrossed and sent to the Senate for concurrence.

Mr. Foard sends forward a report from the committee of conference on

H. B. 731, a bill to amend the charter of the town of Concord, and to increase the corporate limits.

The report of the committee is adopted and the bill ordered to be enrolled for ratification.

S. B. 824½, H. B. 1,026, a bill to allow the drainage and clearing out of Reedy Fork creek and Haw river, is taken up on its third reading, passes by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Amis, Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Blocker, Bonner, Brown

of Mecklenburg, Bryson, Buchan, Burroughs, Carter of Buncombe, Carroll, Cary, Christmas, Cobb, Colwell, Davis of Catawba, Davis of Haywood, Davis of Madison, Deans, Dunn, Ellison, English, Etheridge, Foard, Foster, Gatling, Grant, Henderson, Hines, Holt, Horton, Huffstetler, Johnson, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Paxton, Pettipher, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith, Taylor, Wheeler, Wimberly, Wynne, and Young—69.

Nays—None.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting Senate amendments to

H. R. 247, S. R. 889, resolution in favor of certain witnesses in the case of the State against George W. Swepson; which are concurred in by the House and the bill is ordered to be enrolled for ratification.

Mr. Bird moves to reconsider the vote by which

S. B. 330, H. B. 554, a bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition, passed its third reading.

The motion prevails and reconsideration is had.

S. B. 641, H. B. 1,004, a bill supplementary to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad, is taken up and passes its third reading by the following vote, and is ordered to be enrolled for ratification:

Ayes—Messrs. Anderson, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Blocker, Bonner, Bost, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Buncombe, Carter of Warren, Carroll, Carson, Cary, Christmas, Clarke, Cobb, Colwell, Davis of Catawba, Davis

of Haywood, Deans, Dunn, Ellison, English, Etheridge, Foard, Gatling, Grant, Harrison, Henderson, Hines, Holt, Horton, Huffstetler, Johnson, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Smith Taylor, Wheeler, Wimberly, Woodhouse, Wynne, and Young—69.

Nays—None.

S. B. 784, H. B. 1,021, a bill to authorize the commissioners of Brunswick county to levy a special tax, is put on its third reading, passes by the following vote and is ordered to be enrolled for ratification :

Ayes—Messrs. Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bird, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Carter of Buncombe, Carter of Warren, Carter of Yancey, Carroll, Cary, Christmas, Clarke, Colwell, Davis of Catawba, Davis of Haywood, Ellison, English, Etheridge, Foard, Foster, Gatling, Grant, Hines, Huffstetler, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McGehee, McLean, Norment, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Taylor, Wheeler, Wimberly, Woodhouse, Wynne, and Young—59.

Nays—Messrs. Cooke, Scott, Turner, and Waddell—4.

A MESSAGE IS ANNOUNCED FROM THE SENATE

transmitting Senate amendments to

H. R. 247, a resolution in favor of certain witnesses in the case of the State vs. G. W. Swepson, which are concurred in and the resolution ordered to be enrolled for ratification.

THE SPECIAL ORDER,

S. B. 867, a bill supplemental to an act creating the State Board of Health, is announced, and put on its passage and passes, and is ordered to be enrolled for ratification.

THE SECOND SPECIAL ORDER,

H. R. 239, a resolution in favor of Augustus Robbins, is announced; after discussion

Mr. Clarke introduces a resolution referring the matter to the committee on Privileges and Elections, with instructions to report at 2 o'clock, which is adopted by the following vote:

Ayes—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Blocker, Brown of Mecklenburg, Bruce, Bryson, Buchan, Burroughs, Carter of Warren, Cary, Christmas, Clarke, Colwell, Davis of Catawba, Davis of Haywood, Deans, Dunn, Ellison, English, Gatling, Grant, Harrison, Henderson, Hines, Horton, Huffstetler, Johnson, Lamb, Lewis, Lowry, Lutterloh, Mebane, Moore, McGehee, McLean, Newell, Norment, Oliver, Orchard, Osborne, Pettipher, Rawley, Reynolds, Richardson of Columbus, Richardson of Wake, Ritchey, Scott, Smith, Taylor, Turner, Waddell, Wheeler, Wimberly, Woodhouse, Wynne, and Young—61.

Nays—Messrs. Bonner, Bost, Foard, and Lockhart—4.

Mr. Cobb and Mr. Moore are excused from serving on the committee; Messrs. Orchard and Lewis, and Mr. McGehee, and Mr. Hines are added to the committee and are all excused.

By consent, Mr. Cooke introduces

A bill to provide for submitting the constitutional amendments on the subject of the support of the deaf mutes and blind to the qualified voters of the State, which, by consent, is put

on its readings and passes, and is sent to the Senate without engrossment.

S. B. 330, recalled from the hands of the Enrolling Clerk, is re-announced and again put on its third reading.

Mr. Bird moves to lay the bill on the table; the motion is not sustained and the bill is put on its third reading with the following result:

Ayes—Messrs. Amis, Ardrey, Armstrong, Atkinson, Bonner, Brown of Mecklenburg, Carter of Buncombe, Carter of Yancey, Cobb, Colwell, Cooke, Davis of Catawba, Foard, Hines, Lamb, Leatherwood, Lockhart, Lutterloh, Mebane, McLean, Newell, Oliver, Paxton, Reid of Macon, Reid of McDowell, Richardson of Columbus, Wheeler, Woodhouse, and Wynne—27.

Nays—Messrs. Angier, Bird, Blocker, Bost, Buchan, Carter of Warren, Cary, Christmas, Clarke, English, Grant, Huffstetler, Lewis, Lindsay, Lowry, Norment, Orchard, Pettipher, Powers, Rawley, Reynolds, Ritchey, Scott, Smith Taylor, Turner, Wimberly, and Young—29.

And the bill fails for want of a quorum.

A MESSAGE FROM THE SENATE

is announced transmitting Senate amendments to

H. B. 1,085, a bill to farm out convicts to the Roxboro Narrow Gauge Railroad.

The amendments are concurred in and the bill is ordered to be enrolled for ratification.

A message is also announced transmitting

S. B. 904, a bill concerning servant hire in the Capitol building, which is placed on the Calendar.

A message is also announced transmitting

S. B. 675, a bill for the protection of inns and taverns, which is placed on the Calendar.

A message is also received transmitting Senate amendments to

H. B. 468, a bill to incorporate the Border Railroad Company; and

S. B. 897, a bill to provide for engraving bonds and other expenses, authorized under an act to adjust and renew a portion of the State debt.

S. B. 897 is put on its readings and passes and is ordered to be enrolled for ratification.

Senate amendments to

H. B. 468 are concurred in and the bill ordered to be enrolled for ratification.

A message is also announced transmitting Senate amendments to

H. B. 422, a bill to establish a Board of Newbern Harbor Commissioners.

The amendments are concurred in and the bill ordered to be enrolled for ratification.

A message is also announced, transmitting

S. B. 890, a bill to prevent the felling of timber in Big Fishing Creek, in Warren county; and the bill is put on its readings and passes and is ordered to be enrolled for ratification.

A message is also announced, transmitting

S. B. 90, a bill to allow solicitors to appear before grand juries, which is placed on the Calendar.

A message is also announced, transmitting

S. B. 427, a bill to incorporate the Historical and Scientific Society of Wilmington.

S. B. 579, a bill to prevent the hauling of seines and drag nets in the waters of Bay River and its tributaries, in the county of Hyde; and

Senate amendments to

H. B. 679, a bill to amend the charter of the town of Chapel Hill.

The amendments are concurred in, and the bill is ordered to be enrolled for ratification; and

Senate Bills 427 and 579 are placed on the Calendar.

Mr. Carter of Buncombe, introduces a bill to change the times of holding the courts of Buncombe and Madison counties, which is put on its readings and passes and is ordered to be sent to the Senate without engrossment.

On motion of Mr. Lockhart,

S. B. 168, a bill explanatory of chapter 57, of Battle's Revisal, is put on its readings.

The question is put on the bill on its second reading, and no quorum votes. The question is again put.

Mr. Lewis moves to adjourn until 11 A. M. to-morrow.

Mr. Atkinson moves to amend by substituting half-past seven this evening.

The question is put on the amendment and lost, and then on Mr. Lewis' motion, which failed, and the bill is again put on its second reading, and on a division, it passes, ayes 41, nays 20; and

On motion of Mr. Cooke, the bill is put on its third reading and passes and is ordered to be enrolled for ratification.

Mr. Richardson of Wake, from the committee on Privileges and Elections, charged with the examination of the evidence in the contested election case from Bertie, Robbins *vs.* Etheridge, with instructions to report at 2 o'clock, makes a report, containing no recommendations to the House.

Mr. Lockhart moves to adjourn.

Mr. Norment demands the ayes and nays, which was had as follows:

Ayes—Messrs. Bonner, Carter of Buncombe, Colwell, Cooke, English, Gatling, Hines, Lamb, Leatherwood, Lockhart, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Woodhouse, and Young—16.

Nays—Messrs. Angier, Armstrong, Atkinson, Barringer, Battle, Bird, Blocker, Brown of Mecklenburg, Buchan, Carter of Warren, Cary, Christmas, Clarke, Davis of Catawba,

Davis of Haywood, Deans, Ellison, Henderson, Huffstetler, Johnson, Lewis, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Orchard, Osborne, Paxton, Pettipher, Reynolds, Scott, Smith, Taylor, Turner, Waddell, Wheeler, Wimberly, and Wynne—40.

And there is no quorum.

Mr. Norment moves the attendance of absent members be enforced, and on his motion a call of the House was made, and the following gentlemen answered to their names:

Mr. Speaker, Messrs. Angier, Armstrong, Atkinson, Battle, Bird, Blocker, Bonner, Bost, Brown of Mecklenburg, Buchan, Burroughs, Carter of Buncombe, Carter of Warren, Cary, Christmas, Clarke, Colwell, Cooke, Davis of Catawba, Davis of Haywood, Deans, Ellison, English, Etheridge, Foster, Gatling, Harrison, Henderson, Hines, Huffstetler, Lamb, Leatherwood, Lewis, Lindsay, Lockhart, Lutterloh, Mebane, Moore, McLean, Newell, Norment, Orchard, Osborne, Pettipher, Powers, Rawley, Reid of Macon, Reid of McDowell, Reynolds, Richardson of Columbus, Richardson of Wake, Scott, Smith, Turner, Waddell, Wheeler, Wimberly, Woodhouse, Wynne, and Young—61.

And a quorum appearing to be present, farther action to compel attendance is discontinued.

Mr. Richardson of Columbus moves to postpone the consideration of the report until eight o'clock to-night.

Upon which Mr. Norment demands the ayes and nays.

The call is sustained and the House refuses to postpone by the following vote:

Ayes—Messrs. Armstrong, Atkinson, Bonner, Bost, Buchan, Burroughs, Carter of Buncombe, Colwell, Cooke, Davis of Catawba, English, Etheridge, Foster, Gatling, Hines, Huffstetler, Lamb, Lindsay, Lockhart, Moore, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Smith, Wheeler, and Young—29.

Nays—Messrs. Angier, Barringer, Battle, Bird, Blocker, Brown of Mecklenburg, Carter of Warren, Cary, Christmas,

Clarke, Davis of Haywood, Ellison, Grant, Harrison, Henderson, Horton, Lewis, Lutterloh, Mebane, McLean, Newell, Norment, Osborne, Pettipher, Reynolds, Richardson of Wake, Scott, Taylor, Turner, Waddell, Wimberly, and Wynne—32.

Mr. Richardson of Columbus, moves to adjourn until tomorrow at 11 o'clock.

Upon which motion Mr. Norment demands the ayes and nays.

The call is sustained and the House adjourns to the hour named, by the following vote:

Ayes—Messrs. Angier, Armstrong, Atkinson, Barringer, Bonner, Bost, Burroughs, Carter of Buncombe, Colwell, Cooke, Davis of Catawba, Davis of Haywood, English, Foster, Hines, Huffstetler, Lamb, Leatherwood, Lockhart, Mebane, Moore, Orchard, Powers, Rawley, Reid of Macon, Reid of McDowell, Richardson of Columbus, Smith, Wheeler, Woodhouse, and Young—31.

Nays—Messrs. Battle, Bird, Blocker, Brown of Mecklenburg, Buchan, Carter of Warren, Cary, Christmas, Clarke, Ellison, Grant, Harrison, Henderson, Horton, Lewis, Lutterloh, McLean, Newell, Norment, Osborne, Pettipher, Reynolds, Richardson of Wake, Taylor, Turner, Waddell, Wimberly, and Wynne—27.

FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
FRIDAY, March 14th, 1879.

The House meets at 11 o'clock this morning and is called to order by Mr. Speaker Moring.

The reading of the Journal of yesterday is dispensed with.

The Speaker announces the following gentlemen to compose the committee to examine the books of the State Treasurer for the next year: Messrs. English, Lewis and Clarke.

Mr. Norment introduces a resolution in favor of Augustus Robbins.

THE CALENDAR

is taken up, and

S. R. 892, a resolution in favor of W. V. Clifton, assistant doorkeeper of the Senate; and

S. R. 874, a resolution in favor of the pages of the Senate, pass and are ordered to be enrolled for ratification.

A Senate resolution in favor of W. R. Gales passes and is ordered to be enrolled for ratification.

Senate resolution 904, and

S. R. 830, H. R. 232, a resolution in favor of R. P. Howell, pass and are ordered to be enrolled for ratification.

Senate bill 499, a bill to regulate pilotage over the bar of Ocracoke, &c.

S. B. 691, a bill to amend the act incorporating the town of Washington,

S. B. 601, a bill to incorporate Ocean Fire Company of Washington, N. C.,

S. B. 493, a bill to incorporate the North Carolina Industrial Association; and

S. B. 546, a bill to secure convict labor to build public roads in Beaufort and Pamlico counties, pass their several readings and are ordered to be enrolled for ratification.

On motion of Mr. Norment, the resolution introduced by him during this morning's session is put on its passage and adopted.

S. B. 725, a bill to charter the Bank of Cape Fear, is put on its second reading.

Mr. Turner moves to lay the bill on the table, and the motion fails.

On the passage of the bill Mr. Scott demands the previous question. The call is sustained and the main question is ordered.

The question is on the bill on its second reading, and it passes.

The motion to suspend the rules to put the bill on its third reading fails.

S. B. 262, H. B. 603, a bill to change the times for holding the superior courts in the 9th judicial district, is put on its readings.

Amendments proposed by the Committee are adopted, and the bill passes and is sent to the Senate with engrossed amendments.

A MESSAGE IS RECEIVED FROM THE SENATE

transmitting

S. B. 907, a bill to prohibit the sale of spirituous liquors in certain localities near Prospect Church, in Rowan county;

S. B. 908, a bill to incorporate Cornelius Harnett Council of the Royal Arcana, located in the city of Wilmington;

S. B. 910, a bill prescribing the mode by which the People's Building and Loan Association of Ashevilla may execute deeds; and

S. B. 911, a bill to remove the incurable from the Insane Asylum, which are read the first time in this House and all placed on the Calendar.

H. R. 243, a resolution to amend a resolution passed at the session of 1876-'77, is put on its passage.

Mr. Bost moves to lay the resolution on the table, which motion fails, and the resolution passes and is sent to the Senate without engrossment.

Mr. Davis of Haywood introduces a resolution in favor of

W. J. Wilson, which, on motion of Mr. Bonner, is laid on the table.

Mr. Turner offers a protest against the action of the House yesterday in refusing to receive a resolution offered by him to expel a member.

Mr. Scott moves the protest be returned to the presenter.

The Speaker, Mr. Moring in the chair, decides that the protest cannot be entered upon the Journal of the House, inasmuch as it embraces, in another form, matter already decided by the House to be objectionable and inadmissible.

The Speaker ruled Mr. Turner out of order for comments upon the ruling of the Chair and other objectionable language and action, and the cause still continuing, the Speaker orderd Mr. Turner to take his seat.

Mr. Turner refused to be seated.

Mr. Davis of Catawba, moves that Mr. Turner be called to the bar of the House and be reprimanded by the Speaker.

The motion is adopted, and Mr. Turner comes to the bar of the House and is reprimanded.

On motion of Mr. Richardson of Columbus, the House takes a recess for five minutes; at the expiration of which time, the House re-assembles.

On motion of Colwell, the time for the adjournment of the House is postponed until two, P. M.; and a message is transmitted to the Senate informing that body of the action of the House and asking concurrence.

Mr. Powers from the committee on Enrolled Bills, makes the following report of bills correctly enrolled, and they are ratified by the Speaker of this House:

A resolution providing for aid of the Orphan Asylum at Oxford, N. C.;

A joint resolution to amend a resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly and preparation and indexing of Legislative Documents, passed at the session of 1876–77, and ratified the 12th day of March, A. D. 1877;

An act to incorporate Rising Hope Lodge, No. 1,800, G. U. O. of O. F. of Flemington, N. C.;

An act to amend the charter of the Charlotte and Taylorsville Railroad Company, chapter 40, laws of 1871–72;

An to incorporate Zion Wesley Institute, Cabarrus county;

An act to pay jurors of Edgecombe and Craven counties;

An act for the relief of the sureties of John W. Malett, late tax collector of Fayetteville;

An act to change the time of holding the superior courts in Warren county and to allow two weeks therefor;

An act to aid the completion of the Seaboard and Raleigh Railroad, running from Williamston, in the county of Martin, through the counties of Martin, Pitt, Edgecombe, Nash, Franklin and Wake;

An act to incorporate the North Carolina Baptist Sunday School Convention;

Resolution in favor of Richard Clayton, tax collector of Chowan county;

An act to authorize the commissioners of Hertford county to levy a special tax;

An act to provide for and keeping in repair the public roads of the State;

An act for the support of the penitentiary and convicts for the years 1879 and 1880;

An act to prevent the destruction of black fish in White Marsh, in Columbus county, N. C.;

An act to amend chapter 285 of the laws of 1876–'77, ratified March 12th, 1877;

An act for the internal improvement of Sampson county;

An act to incorporate the town of Roxboro, in Person county;

An act to repeal chapter 65, public laws of A. D. 1876–'77, entitled an act for the renewal of road exemptions in Clay county;

An act supplemental to an act to compromise, commute

and settle the State debt, passed at the present session of the General Assembly;

An act to adjust and renew a portion of the State debt;

An act to incorporate the Rockingham and Salisbury Railroad Company;

An act to amend the charter of the town of Farmville, Pitt county;

An act declaratory of the meaning of and to amend the charter of the town of Reidsville;

An act to incorporate the North Carolina Coast Canal Company;

An act to incorporate the North Carolina and Virginia Christian Conference;

An act to establish the State line between the State of North Carolina and the State of Georgia between the counties of Macon, North Carolina, and Rabun, Georgia;

An act to legalize the purchase of land for the penitentiary;

An act to incorporate the Zion Hill Cemetery Company, Concord, N. C.;

An act entitled an act to secure by mail all notices issued by board of county commissioners to justices of the peace, road overseers and school committeemen;

An act to repeal an act entitled an act to amend an act entitled an act to incorporate the town of Lillington, in the county of New Hanover;

An act to reduce the costs of criminal prosecutions;

An act to incorporate the Fasquette Methodist Church, South, in Clay county, N. C.;

An act to change the county of Martin from the 2nd to the 1st judicial district, and the time of holding the courts thereof;

An act to authorize the Board of Education of Brunswick, Surry and Edgecombe counties to pay certain school claims;

An act to amend chapter 240, of the laws of 1874–'75,

being an act entitled an act to prevent discrimination in freight tariffs by railroad companies operating in this State;

An act supplemental to an act to amend section 8, chapter 255, laws 1876–'77, ratified February 27th, 1879;

An act to complete the indexing of grants in the Secretary of State's office;

An act in relation to the city of Raleigh;

An act supplemental to an act entitled an act for the support of the penitentiary of North Carolina for the year 1879 and the year 1880;

An act to provide for the sale of insolvent judgments in favor of counties against defaulting officers;

Resolution in favor of W. W. Rollins;

Resolution to pay the actual expenses of the committee appointed to investigate the Western North Carolina Railroad;

Resolution in favor of Jesse Hathcock, of Cabarrus county;

An act to incorporate the town of Forestville, in the county of Wake;

An act to authorize the board of commissioners of Anson county to levy a special tax;

An act to provide a fund for the payment of jurors;

An act to extend the corporate limits of the town of Concord and to amend the charter of said town;

An act to authorize the commissioners of Lincoln county to levy a special tax;

An act to authorize the commissioners of Greene county to levy a special tax;

An act to apportion the convicts among the various works of internal improvements of the State;

An act to incorporate the trustees of Macedonia Church in the county of Transylvania;

An act to raise revenue;

An act to provide for recording the deed made by Elias Stallings to James Denby and Jacob Jones, commissioners for the Baptist Society in Franklin county;

An act to alter the Constitution of North Carolina concerning the debt of the State;

An act to facilitate the navigation of the streams of the State;

Resolution in favor of D. S. Sides of Rowan county, who lost his right arm and right leg in the Confederate service;

An act to repeal the law providing for the maintenance of the lunatics outside the Insane Asylum;

An act to incorporate Centennial Lodge, No. 96, of I. O. of O. Fellows of Toisnot, Wilson county;

Resolution concerning the Penitentiary Sunday School;

An act concerning the out house of the Capitol;

An act to relieve sheriffs in certain cases and to prevent the sacrifice of property at execution sales;

An act to collect arrears of taxes in the county of Halifax;

An act to amend chapter 97 of Battle's Revisal, concerning the printing of the public laws;

An act to allow the commissioners of the county of Craven to work persons sentenced to the Penitentiary for one year upon the public roads and other works of said county;

An act to incorporate Yellow Mountain church in the county of Mitchell;

An act to incorporate the Rocky Mount Benevolent Aid Society;

An act to amend section 1, chapter 1, acts of 1872–'73, and section 1, chapter 255, acts of 1876–'77;

Resolution on adjournment;

An act to regulate salaries and fees in certain cases;

An act to empower constables to serve civil process;

An act to incorporate the Furniture Manufacturing Company;

An act to amend chapter 152 of the Acts of Assembly, 1871–'72;

An act to prohibit the sale or exchange of produce be-

tween sunset and sunrise in the counties of Iredell, Rowan and Cabarrus;

An act to amend chapter 20 of the laws of 1874-'75, to protect the State's interest in railroads;

An act to amend chapter 285, section 4, laws 1876–'77;

An act to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor;

An act to prevent the destruction of sea turtle, terrapin and marsh fowls on the seacoast of Brunswick county;

An act to incorporate the town of Mount Holly in the county of Gaston;

An act to define the line between Bladen and Columbus;

An act to prevent the felling of trees in Angola and Shelter creeks in Pender county;

An act amendatory of and supplemental to an act passed at the present session of the General Assembly and entitled an act to prevent live stock from running at large in Rowan, Davie and other counties;

An act providing for the engraving of bonds and other expenses, authorized by an act passed at the present session of the General Assembly entitled an act to adjust and renew a portion of the State debt;

An act to make Purvus creek from the mouth of the same to the head thereof a lawful fence;

An act to provide for the internal improvement of Craven and Beaufort counties;

An act to amend an act to prohibit the sale of liquors in certain localities, ratified the 12th day of March, A. D. 1877, concerning Prospect church, in Rowan county;

Resolution in favor of Alfred Williams & Co.;

An act to change the boundary line between the counties of Wilkes and Ashe;

An act to establish the Board of Newbern Harbor Commissioners;

An act to cure irregularities in certain judicial proceedings wherein some or all of the defendants named in the summons were infants, idiots, lunatics or persons *non compos mentis;*

An act to amend chapter seventy-nine, private laws of 1874–'75;

An act to enable the city of Wilmington to pay its present bonded indebtedness and to provide for its bonds maturing in the years 1879–'80.

Resolution in favor of W. V. Clifton;

An act to amend an act ratified the 12th day of March, 1879, to amend the charter of the town of Pittsboro, North Carolina;

An act to incorporate the town of Saul's Cross Roads in the county of Wayne;

An act to authorize the Treasurer of the State to exchange the stock of the State in Albemarle and Chesapeake Canal Company for the bonds of the State (not special tax);

An act to amend sections 23 and 89, of chapter 32, Battle's Revisal;

Resolution in favor of the pages and colored keeper at the door of the Senate;

An act to amend the charter of the town of Chapel Hill;

An act to amend chapter 129, private laws of 1874–'75;

An act to provide for the laying off of a road from Quaker bridge, in Jones county, to a point near Tar Landing in Onslow county;

An act to incorporate the Wilmington, Wrightsville and Onslow Railroad Company and for other purposes;

An act to provide for submitting the proposition to amend the Constitution of the State in relation to the support of the deaf mutes, the blind and the insane of the State to a vote of the people;

An act supplemental to an act creating the State Board of Health;

An act to drain certain lands in Lincoln county;

Resolution in favor of R. P. Howell;

An act for the support of the Penitentiary and convicts for 1879–'80;

An act to appoint additional Trustees of Newton Academy, Buncombe county;

Resolution in favor of assistant clerk for extra service;

An act to make the killing of live stock by the cars and engines running on railroads in this State indictable;

An act to create two townships in the county of Bladen;

An act for the protection of fish;

An act to farm out convicts to the Roxboro Narrow Gauge Railroad;

An act to authorize the commissioners of Brunswick county to levy a special tax for the years 1879–'80;

An act to repeal chapter 59, private acts of the laws of 1876–'77, entitled an act to provide a suitable house for the Governor;

An act to regulate the fees of certain county officers in Pitt county;

Resolution in favor of certain witnesses in case of State *vs.* Swepson;

An act to incorporate the Cotton and Grocers' Exchange of Raleigh, N. C.;

An act entitled an act to charter the town of Quhele, formerly Tilden;

Resolution of instruction to our Senators and Representatives in Congress to secure an appropriation to deepen and widen the river and sounds of Eastern N. C.;

An act to fix the number and regulate the manner of appointing the Boards of Directors of the Cape Fear and Yadkin Valley Railroad, and for other purposes;

An act to remove the obstruction to the passage of fish and provide fish-ways;

An act to amend sub-section nine (9), section thirty-three (33), Code of Civil Procedure;

An act to secure convict labor for the purpose of making public roads in the counties of Beaufort and Pamlico;

An act for the collection of taxes against the property of corporations, &c., &c.;

An act to allow the drainage and clearing out of Haw river and Reedy Fork, in the counties of Guilford and Rockingham;

An act for the more speedy procurement of the right of way by the Winston, Salem and Mooresville Railroad Company, and for the better protection of land-owners over whose land said railroad passes;

An act to amend chapter 140, laws of 1874–'75, and chapter 106, laws 1876-'77;

An act to amend the charter of the town of Edenton;

An act to amend chapter 87, laws of 1866-'67, establishing a Chamber of Commerce for Newbern;

An act to incorporate the Beech Swamp Agricultural Canal Company;

An act to amend an act in the corporation of the town of Washington, N. C.;

An act for the speedy trial of criminals;

Resolution in relation to certain repairs on the Capitol grounds;

An act to charter the Ocean Fire Company, of Washington, N. C.;

An act to regulate pilotage over the bar of Ocrocoke Inlet and over the Swash;

An act to prevent the felling of timber in Big Fishing Creek, in Warren county;

An act to punish the entering of a dwelling house in the night time other than by breaking;

An act to restore to judgment debtors the homestead and personal property exemptions to which they were entitled prior to the 24th day of April, 1868;

An act to amend chapter 242, of the acts of 1876–'77;

An act to provide for trial by jury in certain cases;

An act for the protection of fish;

An act to incorporate Columbia Lodge, No. 132, Independent Order of Good Templars;

An act concerning servant hire in the capitol building;

An act to change the time of holding the courts in the ninth judicial district;

An act supplemental to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad;

An act for the better protection of the pupils of the North Carolina Institution for the Deaf and Dumb and the Blind from contagious diseases, and for other purposes therein contained;

Resolution concerning the Pages and other employees of the House;

An act explanatory of chapter 57, of Battle's Revisal;

An act concerning the taking of fish in the waters of Tranter's Creek and Flat Swamps, in the counties of Martin and Pitt;

An act concerning the taking of fish in Grendell Creek, in Pitt county;

An act to incorporate Cornelius Harnett Council of the Royal Arcana, located in the city of Wilmington;

An act to incorporate the North Carolina Industrial Association.

S. B. 908, a bill to incorporate Cornelius Harnett Lodge, is put on its readings and passes and is ordered to be enrolled for ratification.

A MESSAGE IS ANNOUNCED FROM THE SENATE

transmitting Senate amendments to

H. B. 1,001, a bill concerning the internal improvement of Beaufort and Craven counties;

The amendments are concurred in and the bill is ordered to be enrolled for ratification.

On motion of Mr. ——, the House takes a recess for half an hour.

On re assembling at 1 o'clock, on motion of Mr. Colwell, the recess is further extended for half an hour.

The House again re-assembles at the hour designated and

THE CALENDAR

is resumed.

S. R. 848, a resolution in favor of Alfred Williams, passes its several readings and is ordered to be enrolled for ratification.

H. B. 953, a bill to prevent the fishing with nets in Grindell creek, passes its several readings and is ordered to be sent to the Senate without engrossment.

H. B. 954, a bill concerning the taking of fish in the waters of Tranter's creek, passes its several readings and is ordered to be sent to the Senate without engrossment.

S. B. 907, H. B. ..., a bill to prohibit the sale of spirituous liquors in certain localities, passes its several readings and is ordered to be enrolled for ratification.

H. B. 1,000, a bill to appoint additional trustees to Newton College, Buncombe county, passes its several readings and is ordered to be sent to the Senate without engrossment.

Mr. Richardson of Columbus, introduces a resolution of thanks to the Ministers of the Gospel in this city, and the resolution is unanimously adopted.

Mr. Richardson of Columbus, asks leave to withdraw from the House

S. B. 725, H. B. 916, a bill to incorporate Cape Fear Bank, which failed to pass, but subsequently the bill is put on its several readings, and passes and is ordered to be enrolled for ratification.

The bill is returned by the Enrolling Clerk as having passed too late for enrollment, and it fails to become a law.

Mr. Ellison moves to put

S. B. 911, a bill to remove the incurable from the Insane Asylum and provide for the curable on its passage, and the bill is taken up on its second reading.

Pending consideration of the bill

A MESSAGE IS RECEIVED FROM THE SENATE

announcing the readiness of that body to adjourn. And a message is sent to that honorable body announcing the concurrent readiness of the House.

Mr. Reynolds introduces a resolution of thanks to the Speaker and officers of this House which is ananimously adopted.

Mr. Brown of Mecklenburg, introduces a resolution of thanks to the colored members of the House for their gentlemanly bearing and faithful and impartial discharge of duties.

The resolution is put and unanimously adopted; then

With appropriate remarks from Mr. Speaker Moring the gavel falls and the House stands adjourned *sine die.*

JNO. M. MORING,
Speaker House of Representatives.

JNO. D. CAMERON,
Principal Clerk.

ADDENDUM.

In the list of the bills announced in the House on the last day of the session as ratified and complete in their legislative vitality, the bill, entitled "an act to revise and consolidate the Public School Law of North Carolina," was included. Subsequently, on the information of the Enrolling Clerk that the bill had not been signed by the Presiding Officers of the two Houses, though regularly enrolled, I struck the bill from the list of those announced as ratified on that day. The fact of a want of signature by the presiding officers vitiated the truth of the statement. Adherence to the logical sequence of facts should exact the statement of the whole occurrence—the announcement of ratification, and the subsequent suppression of the statement.

J. D. CAMERON,
Principal Clerk of the House.

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